+ THE EVANGELICALS AND THE LAW | NOAH FELDMAN

THE NEW REPUBLIC

FEBRUARY 20, 2006

WELCOME TO Hillaryland

By RYAN LIZZA

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CORRESPONDENCE

SUPREME RETORT

I THINK THERE IS SERIOUS CONFUSION as to what the theory of the "unitary executive" entails ("Against Alito," January 30). Justice Antonin Scalia's famous dissent in *Morrison* v. *Olson* is an example of one interpretation of the theory, which holds that executive power lies with the president, and that no "person whose actions are not fully with the supervision and control" of the president can seize it. The issue in *Morrison* was the law that provided for the appointment of an independent counsel. More specifically, the Court faced the question of whether, via a statute, Congress can create an executive office that is not under the direct control of the president. Scalia was vindicated on this subject when Congress refused to renew the statute after the Clinton-Lewinsky fiasco and allegations of overreaching by Kenneth Starr. This is what Samuel Alito was likely referring to when he stated that "all federal executive power is vested by the Constitution in the president." Insofar as some may think that the "unitary executive" theory as Alito invoked it stands for the proposition that the president is above constitutionally enacted laws, they are certainly in the minority.

The first line of Article II of the U.S. Constitution states, "The executive power shall be vested in a President of the United States of America." Does "the executive power" mean "all" of the executive power or just "some"? Compare that with the more limiting language of Article I: "All legislative powers herein granted shall be vested in a Congress of the United States." There is a difference, and it appears the Founding Fathers knew how to go about limiting powers when they wanted to do so. There was nothing misleading or evasive about Judge Alito's answers about the "unitary executive."

HIRBOD RASHIDI
Los Angeles, California

IF WE CAN'T STOP REACTIONARY judges from being appointed to the nation's highest court, we should lobby for a constitutional amendment to end lifetime tenure on federal courts, including the Supreme Court. The

tenure of federal judges should be based on what New York's highest state court does. There, judges are appointed to 14-year terms, and they may be reappointed to their posts. Our nation can't afford to make a lifetime mistake.

PAUL FEINER
Greenburgh, New York

IDEAL SCHISM

CANADIANS ARE NOT ANTI-AMERICAN; we are temperamentally anti-ideological ("Martin Short," January 30). Why do you think we kept electing the Liberal Party? People say the Liberals will do anything to retain power. That's a misunderstanding that comes close to the truth. What they are is a party that approaches government pragmatically. They are willing to try what they think will work, regardless of whether the idea arose on the left or the right. The problem in the United States is that it is stuck with extremely ideological leadership. Don't expect us to look at you with envy. You've twice elected an awful government that has led you into a terrible mess, both financially and geopolitically. When you come back to your senses and elect a government that wants to work with the rest of the world, Canadians will still be here waiting for you. Until then, please don't blame us because we insist on telling you that you have gone down the wrong road.

DON GODDARD
Etobicoke, Ontario, Canada

DIPLOMA NIL

MISSING FROM CLAY RISEN'S ARTICLE is a discussion of the possibility that part of the "degree mill" problem may be an excessive reliance on formal academic credentials in evaluating the qualifications of job applicants ("Degree Burns," January 23). It is naïve to attach such great importance to dubious pieces of paper in making employment decisions for high-level professional positions in government, industry, medicine, et cetera. It's as if NASA were to hire a new director based principally on an impressive-looking diploma from the Fly-by-Night Online School of Rocket Science—with extra credit awarded for attending fireworks demonstrations—and then questioned this decision only after numerous failed shuttle launches and lost Mars probes suggested something was amiss. Risen implies that what we need is a federal accreditation oversight agency, which would presumably accredit the numerous private accreditation bodies, which themselves accredit schools. Perhaps a better idea would be for employers to pay less attention to formal credentials and more attention to determining applicants' qualifications through a careful process of interviews, auditions, tests, and background checks.

DAVID J. SLATE
Evanston, Illinois

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Religious Experience

TRB
FROM WASHINGTON

THE RIOTS CURRENTLY ENgulfing the Islamic world, prompted by a Danish newspaper's decision to caricature the Prophet Mohammed, require two responses. The first is easy: horror. In the physical assault on Denmark's embassies and citizens, and in the diplomatic assault on Denmark's government—all because a free government won't muzzle a free press—multiculturalism has become totalitarianism. Religious sensitivity, say the zealots marching from Beirut to Jakarta, matters more than liberty. Indeed, it matters more than life itself. To which the only answer, from democrats of all religions and of none, must be: In this matter, we are all Danes.

So responding to the thuggishness is easy. Responding to the cartoons themselves is harder. It is hard to condemn them when the barbaric response in parts of the Islamic world so vastly dwarfs the initial offense. And yet, the cartoons should be condemned nonetheless. Of course, the Danish newspaper had the right to publish them. But, in doing so, it revealed a particularly European prejudice, one that the United States must take care not to repeat.

The prejudice is not simply against Islam. Rather, it stems from Europe's—or at least Western Europe's—inability to take religion seriously at all. As my colleague Spencer Ackerman has written ("Religious Protection," December 12, 2005), one reason Muslims find it harder to integrate in Western Europe than in the United States is that, in Western Europe, integration is often presumed to mean secularization. In defending his decision to print the cartoons, the culture editor of the Danish newspaper *Jyllands-Posten* declared, "This is about the question of integration and how compatible is the religion of Islam with a modern secular society." In defending its decision to reprint them, the French paper *France Soir* wrote, "No religious dogma can impose its view on a democratic and secular society."

But most Americans—like most Muslims—do not think "modern" and "democratic" equal secular. In France, educational integration means public schools can expel Muslim girls for wearing headscarves. In Denmark, economic integration means employers can fire Muslim women for doing the same. Neither is conceivable in the United States, where the right to be openly religious is considered precious. And, if an American leader criticized "these people for whom religion is their entire life," as the Danish queen recently did, she would be out of a job fast.

So it's not surprising that U.S. newspapers have been less willing to publish the cartoons than their European counterparts. And it's not surprising that the Bush administration quickly called the cartoons offensive, even as it defended the right to free speech. As Ackerman wrote, a key U.S. advantage in the war on terrorism is America's capacity to be both religious and ecumenical. And few public figures encapsulate that better than George W. Bush, a man who has helped turn the Republican Party into a multidenominational coalition of the devout.

The intriguing question going forward is whether Bush's brand of conservative ecumenism—at least as it regards Muslims—will endure. Ever since September 11, many conservatives have derided his insistence that "Islam is peace" as naïve at best. "I have taken issue with our esteemed president in regard to his stand in saying Islam is a peaceful religion. It's just not," declared Pat Robertson several months after the attacks. "To a greater extent than we have permitted ourselves to say," added William Bennett, "this war has to do with religion."

And, since the cartoon wars broke out, some conservatives have suggested that, since Islam is not a peaceful religion like Judaism or Christianity, there's nothing wrong with depicting Mohammed as a terrorist. As one article in *National Review* put it, the violent protests in the Islamic world proved that the "cartoons depicting Muhammed as a dangerous man of arms ... had a good point." On Fox News, Fred Barnes declared that many "Muslims all over the world are certainly enemies of Western civilization." Fox and conservative bloggers have been more willing to show the cartoons than their liberal counterparts.

Indeed, despite Bush's universalism, clash-of-civilizations thinking is deeply ingrained on the American right. In the first decades of the cold war, conservatives frequently described the fight against communism as a struggle not merely for freedom, but for Western civilization. That's why so many conservatives opposed the rapid decolonization of the Third World. They saw it not as a triumph for democracy—which they considered unlikely to take root in non-Western soil—but as evidence of civilizational retreat, an alarming sign of what longtime *National Review* editor James Burnham called "the suicide of the West."

This darker conservatism—with its suspicion of the capacity of abstract ideals to transcend cultural barriers—remained strong through Ronald Reagan's election. "Decades, if not centuries, are normally required for people to acquire the necessary disciplines and habits" of democracy, wrote Jeane Kirkpatrick in "DICTATORSHIPS AND DOUBLE STANDARDS"—the essay that led Reagan to name her ambassador to the United Nations. It was only several years into the 1980s—as pro-American democracies took shape in East Asia and Latin America—that Reagan and large numbers of conservatives embraced the culturally (and religiously) universalist rhetoric that Bush has made his own.

Now, in the wake of the cartoon saga, the election of Hamas and the ongoing trauma in Iraq, that universalism is being challenged, and the older, more pessimistic conservatism is resurfacing. And that's a very bad thing. No matter what you think of the religious right's domestic agenda, the United States is much better off with a religious right than with a Christian right or a Judeo-Christian right. When conservative American Christians lose their ability to identify with conservative Muslims—to imagine their faith as in some basic way the same and deserving of the same basic respect—the United States will find itself less able to speak to the Muslim world, and less able to listen to it. It will find itself, in other words, in the place Europe is now. And that's a place no American should want to be.

PETER BEINART

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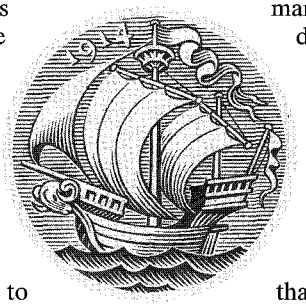
Standard and Poor

ONE OF THE most familiar rituals in George W. Bush's Washington is the fantasizing that accompanies the president's annual budget. The ritual goes something like this: Bush announces plans to cut a variety of domestic spending programs. Conservatives cheer the spirit of the cuts—even as they worry that they could be tough to implement or that they aren't ambitious enough. Then, during the budget process, most of these cuts are restored—except those that affect the poor. And those cuts are too small to have any practical effect on the deficit. Which raises the question: At what point do conservatives acknowledge that their constant calls for spending restraint have real-world repercussions that are, to say the least, morally suspect?

Last year's budget debate provides a textbook example of this conservative kabuki. In February, Bush proposed a 1 percent cut in discretionary spending not related to security. After Hurricane Katrina and the disaster spending that followed, House conservatives demanded even greater cuts—some $500 billion over ten years to such wide-ranging programs as federal highways and the National Endowment for the Arts. But, wouldn't you know it, of the $40 billion in savings over five years finally approved last Wednesday, the vast majority of cuts affect the poor, who will face higher premiums, among other things. The effect of these cuts on the deficit will, in turn, be offset by the $70 billion in tax cuts the GOP is likely to approve in coming weeks.

In fact, despite the administration's best efforts to restrain nonsecurity domestic spending since 2002, it has nudged upward as a share of the economy. Once you factor in homeland security, domestic outlays have grown substantially. Pretty much the only spending ever actually excised is the relatively small fraction of the federal budget that directly benefits the poor. The reason for this is obvious. Everyone wants money spent on them, even if they support spending cuts in the abstract. Meanwhile, every constituency but the poor has the political heft to defend its largesse. Middle-class people vote in large enough numbers to scare off ax-wielding pols. Corporations contribute enough campaign money to ensure leniency. The defense industry has been untouchable since September 11. Only the poor have neither the votes nor the money to secure their goodies. The problem from the perspective of the budget-cutter is that, precisely because the poor aren't a very powerful constituency, there isn't much to take away in the first place.



But, if it's no mystery why the poor consistently lose out, it is perplexing why conservative intellectuals continue to abet this process. One might think that, after four years in which the practical effect of all the calls for slashing domestic spending was significantly *higher* domestic spending combined with cuts that target the poor, conservatives might consider a new strategy to shrink government.

One would be wrong. As *The Wall Street Journal*'s editorialists rightly noted at the end of last year's post-Katrina cutting frenzy, "The reality is that, over the next five years, the total federal budget is expected to exceed $13.855 trillion. The Republican faux-Slimfast plan basically erases the rounding error, or the $0.055 trillion, and leaves the $13.8 trillion untouched." And yet the *Journal*'s response wasn't to suggest forgoing the cuts; it was to imply that the poor were consuming more than their fair share of the budget, noting that Medicaid spending was slated to grow by "more than double the rate of inflation through 2011." Left unmentioned was the fact that health care costs are growing at more than double the rate of inflation.

Even honest conservatives seem unable to appreciate the practical effects of their one-note calls for spending restraint. In an article last October, *National Review*'s Ramesh Ponnuru conceded that cutting discretionary programs was unlikely to reduce government spending in the long run, since Congress lacks the political will to make the cuts stick. He correctly noted that the real money is in entitlements—and that, if the GOP wants to control spending, it will eventually have to dismantle these programs. Yet, despite this analysis, Ponnuru recommended cuts in discretionary spending—the kinds of proposals that almost invariably result in cuts to the poor—as a useful first step.

The point isn't simply that cuts for the poor aren't sufficient to rein in spending. It's that the cuts do serious damage to the people who depend on the axed programs even as they do nothing to advance the goal of fiscal restraint. If conservatives really want to single out the poor for punishment, they should say so explicitly. Until then, they should stop pretending their rhetoric on spending accomplishes anything else. ■

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NOTEBOOK

JOHN MCCAIN'S NO FRIEND OF JACK . . . INDIANS CAN'T GET MONEY BACK

BEYOND RED AND BLUE

IT'S NO REVELATION THAT THE LIBERAL blogosphere features extreme partisanship and reflexive loathing of political adversaries. But the Jack Abramoff scandal seems to have driven some online activists over a cliff in their never-ending witch-hunt for secret villains. The latest target is John McCain.

This week, the Arizona Republican lashed out at Democratic Senator Barrack Obama. Obama had told McCain that he would join a bipartisan group working to come up with a lobbying reform plan, then decided instead to back a proposal crafted by Senate Democratic leaders. "I'm embarrassed to admit that after all these years in politics I failed to interpret your previous assurances as typical rhetorical gloss routinely used in politics to make self-interested partisan posturing appear more noble," McCain wrote to Obama.

The Republican's letter may have been intemperate, but McCain's desire for a bipartisan bill is hardly nefarious—indeed, it's the best hope of getting serious reform passed. But this fact—and the history of how the Abramoff scandal gained national prominence—seems completely lost on the blogosphere. A regular writer at the flagship liberal blog *Daily Kos*, for instance, quickly declared that "the real purpose of McCain's 'bipartisan' task force . . . is to whitewash a purely Republican scandal." Is it really? That's peculiar, given that McCain's hearings into the Abramoff scandal were—as Obama himself put it—"instrumental in promoting public awareness" of Washington corruption. One can argue whether McCain pressed hard enough to expose the wrongdoing of congressional Republicans and figures like Grover Norquist. But it's fair to say that no politician has done more to drive the Abramoff story than John McCain. Don't try explaining that to the liberal bloggers. For them, good and evil are always reducible to D and R.

John McCain

ATTORNEY-CLIENT PRIVILEGE

LAST MONTH, SENATOR RUSS FEINgold accused Attorney General Alberto Gonzales of misleading the Senate Judiciary Committee during his confirmation hearing last year. Gonzales dismissed the senator's question about whether the president could authorize warrantless surveillance of American citizens as a "hypothetical situation"—even though the president had already authorized such a program. Now it appears that Gonzales's conflicted position may be even more fundamental. During his confirmation hearing, Gonzales stated that he would "no longer represent only the White House, I will represent the United States of America and its people." Testifying about the eavesdropping program before the Committee this week, however, he cited attorney-client privilege as the reason for evading senators' questions. "[T]he client here is the president of the United States," he told the committee. Guess we can forget about his pledge to "represent" all Americans.

INDIAN GIVER

IT SEEMS THE INTERIOR DEPARTMENT shares Jack Abramoff's belief that Indians are the "stupidest idiots in the land for sure." Either that, or Interior appears to share Abramoff's unwillingness to let go of their moolah. The Associated Press reported on Saturday that, after being ordered to pay $7 million to a group of lawyers representing Indians in an ongoing royalty dispute with the Department, Interior officials "cut Indian programs to find most of the money." More specifically, they cut $2 million from a fund that reimbursed tribal lawyers working in other areas, almost entirely draining the fund's coffers.

"This is totally unreal," the Blackfeet Indian lead plaintiff observed. But Jim Cason, associate deputy secretary at Interior, argued that it makes perfect sense to cut programs compensating Indians to pay for compensations won by Indians. "This was not a Park Service or a Fish and Wildlife problem, it's an Indian problem," he explained. Great logic, Jim, and applicable to so many of the government's predicaments! Perhaps we should cut funds from Social Security to fix the botched launch of the Medicare prescription-drug program, since it's an old-person problem.

LOSING THEIR RELIGION

"ONCE TO EVERY MAN AND NATION comes the moment to decide." So begins an old and familiar Protestant hymn. Well, the moment to decide was neither for a man nor a nation. It was for a church, the Church of England in particular. The decision of the Church's General Synod was to divest from companies whose products are used by Israel in the occupied territories. What a strange and inapt moment the Church has chosen to bring down its opprobrium on the Jewish state. The

DAVID COWLES

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Palestinians have just voted by a landslide of more than 60 percent to elect the model terrorist group Hamas to form their next government. Hamas has made no bones about its intentions and goals, which are—in sum—to eliminate Israel, and that it will use the kind of violence the world is accustomed to seeing from Muslim fanatics to accomplish those aims. (Pity the poor Christians who are destined to live under Hamas rule or, more probably, to continue the exodus that began when the Western powers anointed Yasir Arafat president of Palestine.) By contrast, Acting Israeli Prime Minister Ehud Olmert and Kadima, the centrist party that is bound to win the elections in March, are committed to unilateral withdrawal from substantial portions of the West Bank, just as Israel left all of Gaza to the Palestinian Arabs. The mayhem that ensued in Gaza is likely to be replicated in the West Bank, and that territory will surely become one huge launching pad for rockets and missiles endangering not only Israeli civilian life but all sorts of civil installations. Since the Israelis are not pacifists, an accurate accounting will be kept. Of course, there will also follow the kind of internecine conflict that seems endemic to Palestine. The Anglican decision follows similar resolves against Israel by mainstream Protestant denominations in the United States. The decline in the sway of these churches, many affiliated with the National Council of Churches, is not unrelated to these perverse inclinations that dominate at church headquarters. The results are that church affiliation declines and that the faithful simply leave the church or go to other churches, the kind of churches that often give many of our readers apoplexy. In the twenty-first century, many Christians recognize anti-Semitism when they see it. And it drives them away. No less than the former archbishop of Canterbury, George Carey, has declared that he is "ashamed to be an Anglican." ■

TNR commentary Excerpts from THE NEW REPUBLIC ONLINE

WHAT THE CARTOONS HAVE REVEALED.

Drawing Conclusions

By Martin Peretz

Maybe you remember, back in 1989, the controversy over *Piss Christ*, a piece of art by the now-fashionable artist Andres Serrano. His brave breakout work (a photo of a crucifix immersed in urine) was later followed by Chris Ofili, the Afro-British winner of the Turner Prize, and his *Holy Virgin Mary*, whose media included elephant dung. The debate over these works of art and their depictions of the divine constituted, at least in my view, the ugliest battle in the culture wars. It was started on the left, and it was the left that won it. And I'm not sure it shouldn't have. Yes, the First Amendment and all that. You may dislike what it protects, but protect it you must.

I was reminded of these episodes by the riots now spreading here, there, everywhere over the twelve cartoons about the Prophet Mohammed published in a privately owned Danish newspaper, *Jyllands-Posten*, last September. It seems that the Islamists believe that they cannot simply disagree vehemently with those who offend them. They seem incapable of simply opposing. Killing—or threatening to kill—seems to be a reflex with enough of them to make militant Islam a danger. As Saturday's *Guardian* pointed out, a demonstration "led by the extremist group Al Ghuraba ... marched to the Danish embassy in Knightsbridge carrying banners calling on Muslims to 'MASSACRE' those who insult Islam and chanting: 'Britain, you will pay, 7/7 on its way.' " Why, exactly, threaten England? As far as I know, no British periodical has run the cartoons, even as an act of solidarity. This is not free speech. This is rank intimidation—and, given July 7, there is, in the words of Oliver Wendell Holmes Jr., a clear and present danger.

> Many Islamists seem incapable of simply opposing. Killing—or threatening to kill—seems to be a reflex.

These Islamists and their followers among the Arab and Muslim immigrant populations of Europe increasingly do not seem to grasp the most elementary of democratic transactions: Give berth even to that which you dislike. The very essence of liberal society is the willingness—OK, the doleful willingness—of its members and constituent groups to be slighted.

LIBERALS PLAY INTO KARL ROVE'S HANDS.

Opposition Party

By Steven Groopman

Karl Rove recently unveiled the GOP's strategy for the 2006 elections. At its heart is emphasizing distinctions between Republicans and Democrats on the issue of national security. If Rove wanted evidence that this strategy will succeed, then he should have watched the State of the Union with me.

I watched the speech at an event sponsored by the Center for American Progress Action Fund, perhaps the most high-profile liberal advocacy organization in the country. Early on, when Bush invoked September 11, the audience let out a loud groan and snickered. Seconds later, the president mentioned "weapons of mass destruction" for the first time. A bell rang, and the audience laughed; then Bush said the words "freedom" and "terror" and bells rang again, followed by more laughter. This ritual was repeated throughout the speech.

> Liberals have no chance of winning the national security debate if they dismiss its premises.

Why the visceral reaction to these particular formulations? Spreading freedom around the world is—or should be—a paramount goal of liberalism. Meanwhile, terrorism remains a real threat to America, and a source of continuing death and destruction the world over. This is not an invention of the Republican imagination; it is reality. In the years since September 11, many liberals seem to have concluded that you're not really opposing Bush's means unless you also scorn his stated ends. That's too bad. Liberals have no chance of winning the national security debate if they dismiss its premises.

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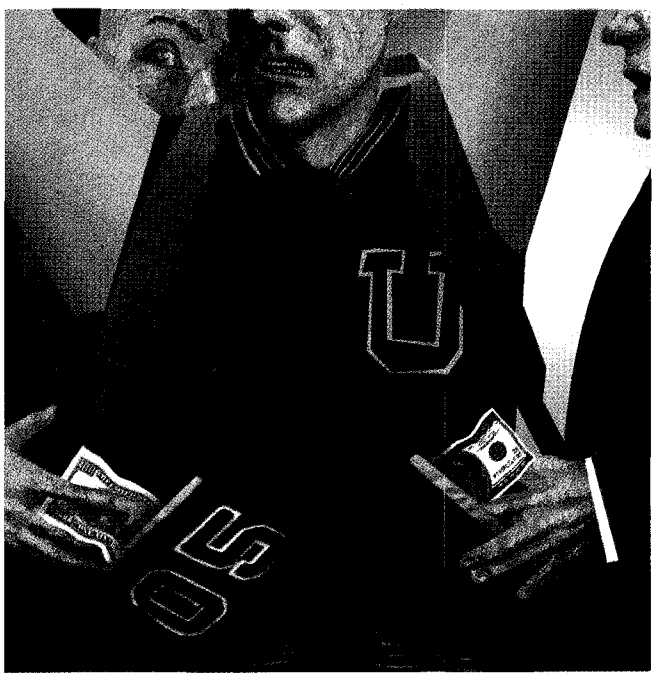
John Boehner targets students. Loan Shark

BY KIM CLARK



WHEN SCANDAL-PLAGUED TOM DeLay finally gave up his quest to regain the leadership of congressional Republicans, the preternaturally tan Ohio Republican John Boehner sat down and drafted a 37-page political manifesto to win the votes of his colleagues. Boehner, himself long known as a friend to K Street, issued a tempered critique of the Republicans' sale of indulgences to lobbyists like Jack Abramoff. House Republicans should elect him majority leader, Boehner wrote, because he believes that "[w]e need to constantly earn the trust of our constituents: They need to feel that they can trust us to produce policies that will respond fairly to their needs, respect their values, and offer greater opportunities for reaching their own dreams."

The platitudes apparently resonated. Boehner won. But anyone wanting proof that Boehner is no reformer need only look at the changes to federal student-loan programs that he just helped push through Congress as part of this year's budget reconciliation bill. The alterations reduce government subsidies for student loans by $13 billion over the next five years. One of the key provisions: higher fixed interest rates that will increase the payments of students and their parents by hundreds of dollars a year.

With Boehner's approval, Congress switched the interest rate on most student loans from a variable one, which this year averaged an attractive 5.3 percent, to a fixed rate of 6.8 percent. The variable rate over the last 14 years has averaged just 6.1 percent. The Congressional Budget Office (CBO) estimates that the variable formula would have generated rates of about 6.4 percent on average in the future. But, thanks to the new fixed rate that takes effect on July 1, a member of the class of 2010 who borrows the typical $17,000 during school will likely have to pay as much as $1,000 more than a student under the old system, according to calculations provided by the American Council on Education (ACE). The rates will jump even more for the increasingly popular federal loans that allow parents to borrow the full cost of their child's education. The Parent Loan for Undergraduate Students (PLUS) rate will rise from the current 6.1 percent (and a ten-year average of 6.9 percent) to 8.5 percent in July. That means repaying the typical one-year PLUS loan of $10,000 taken out this fall will cost up to $1,200 more than repaying one taken out this spring, according to ACE. The Republican leadership, with Boehner serving as point man for the issue, studiously avoided alternative proposals for student-loan reforms that nonpartisan experts, such as the Government Accountability Office (GAO) and the CBO, as well as many Republican House members, reported could have achieved similar tax savings without costing students and their families. Doing so, however, would have required a larger government role in administering student loans—something that is anathema to pro-business ideologues like Boehner. The alternatives also would have cut into the profits of the private lenders who make student loans and who have been very generous donors to Republicans, especially Boehner, in the last several years.

Boehner says he cares about his constituents' dreams, but the Republican changes to the student-loan program clearly make it tougher for students to realize theirs. And Boehner talks about respecting constituents' values, but the groups whose values he served best in this case were those of his political donors, the companies that make money offering student loans.

EDUCATIONAL LENDING COMPANIES and their employees have given a total of $3.5 million to members of Congress since the 2004 election cycle, according to data provided by the Center for Responsive Politics (CRP)—three-quarters of that amount to Republicans. And more than half a million dollars went to just two men: the chairmen of the subcommittee and committee that handled the changes to the student-loan program. Howard P. "Buck" McKeon of Santa Clarita, California, chairman of the Twenty-First Century Competitiveness Subcommittee, collected the most: $262,000. Boehner, who headed the House Education and the Workforce Committee until stepping down to assume his new leadership post,

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came in a close second with $236,000. Sallie Mae, the nation's largest educational lender, has been the single biggest donor to Boehner's PAC since 1989, contributing a total of $122,000, according to CRP data.

This is hardly the first time Boehner has been vulnerable to charges of undue lobbyist influence. He is notorious for having once handed out tobacco lobbyist checks on the floor of the House. And *The Chronicle of Higher Education* reported that, in December, Boehner told a meeting of lenders anxious about the pending changes to the student-loan program, "Relax. Stay calm. ... At the end of the day, I believe you'll be at least satisfied, or even perhaps happy" with the changes. "Know that I have all of you in my two trusted hands," he said.

Boehner says that, despite appearances, his two trusted hands actually delivered for students and parents. The changes don't raise borrowing costs. The tax savings, he claims, are really coming from the profits of middlemen like Sallie Mae, Nelnet, and Citibank, which market, process, and package the loans. (These companies raise capital to lend out to students, but the government pays a portion of the interest and guarantees against most of the risks of default.) It's certainly true that the bill did take some savings out of the hides of the lenders. It phases out the 3 percent origination fees that some (though fewer and fewer) banks were charging students. Congress also made lenders absorb 1 percent more of the cost of student defaulters. And—in a move that Boehner initially opposed—it phases out a controversial program that would have guaranteed some lenders annual profits of 9.5 percent on a comparatively small group of loans (an estimated $17 billion out of the $400 billion outstanding).

But other subtle changes in the bill will create new business and profits for the lenders that should offset these losses. Congress put a stopper on an increasingly popular program in which universities themselves lend to students, thus saving the lenders from increased competition. It also upped the maximums that freshmen, sophomores, and graduate students can borrow from the federal government, increasing the amount of guaranteed-return business lenders can do. At the same time, it kept the total amount of federal debt undergraduates can accrue capped at $23,000, thus allowing for the continuing boom in the far more profitable private educational lending market. All in all, Wall Street analysts and lenders say, the bill won't hurt business.

CONGRESS COULD HAVE achieved the same or even greater savings without forcing already financially pressed students and their families to shoulder even more debt had it been willing to take some business away from Sallie Mae and other lenders. Congress could have expanded a Clinton-era program in which schools forward loan applications directly to the federal government, rather than to middlemen. Several GAO and CBO studies have found that the direct-lending program costs taxpayers much less than extending loans through lenders like Sallie Mae. Government watchdogs have estimated that every dollar loaned through these middlemen costs the federal government at least 9 cents. The government, of course, can borrow more cheaply than businesses can. And it doesn't have to pay investors dividends or CEOs eight-figure pay packages like the $95 million taken home from 2000 to 2004 by Sallie Mae Chairman and former CEO Albert Lord. Little wonder that various analyses have found that loans made directly may actually earn the government 2 percent, or, at the very worst, lose only about 2 percent. Having schools funnel consolidation loans—which new graduates typically take out to combine all of their federal education debts into one fixed-rate loan—directly to the federal government could have saved more than $3 billion a year, the GAO says.

Boehner and other Republican leaders not only torpedoed any expansion of the direct-lending program, they even made subtle changes (taking away the program's guaranteed funding, for example) that will likely reduce the direct-lending program's scope in the future, thus costing taxpayers more over the long run. The end result, says Barmak Nassirian, associate executive director of the American Association of Collegiate Registrars and Admissions Officers, is that lower- and middle-class families will pay more to give their kids the education now needed to have a chance at a decent job, "while the playing field is tilted in the favor of lenders," who happen to be big contributors to Boehner and his party. Concludes Nassirian, a longtime observer of educational politics in Washington, "Boehner will be a worthy successor to Mr. DeLay." ■

The government's junk science.

NOAA's Flood

BY JOHN B. JUDIS

ON NOVEMBER 29, top officials at the National Oceanic and Atmospheric Administration (NOAA), which includes the National Weather Service, held a press conference in Washington, D.C., to sum up this year's disastrous hurricane season. The first question from a reporter was one the press had been asking since Hurricane Katrina reached land three months before: "I was wondering if one of you can talk about what extent, if any, global warming may have played in the storms this year?" NOAA's chief hurricane forecast scientist, Gerry Bell, stepped forward to answer. Bell denied that "greenhouse warming" had any effect on the hurricanes. The hurricanes, he insisted, were merely part of "the 20- to 30-year cycles that we've seen since 1950."

Aren't there recent reports, the reporter then asked, that

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"global warming may have been responsible for the intensity of the storms"? No, Bell said, the storms' intensity was "part of the multi-decadal signal that we see. It's not related to greenhouse warming." According to Bell, there was simply no conceivable connection between global warming and hurricanes. And Bell's denial of a link echoed the statements of other top NOAA administrators and those posted on the organization's website. These statements by NOAA officials were widely cited in columns and editorials debunking claims of a link between global warming and hurricanes.

There's only one problem: Many respected climate scientists, including some who work for NOAA, believe the organization's official line on the link between global warming and hurricanes is wrong. What's more, there is reason to believe that NOAA knows as much. In the broader scientific community, there is grumbling that NOAA's top officials have suppressed dissenting views on this subject—contributing to the Bush administration's attempt to downplay the danger of climate change. Says Don Kennedy, the editor-in-chief of *Science*, the journal of the American Association for the Advancement of Science, "There are a lot of scientists there who know it is nonsense, what they are putting up on their website, but they are being discouraged from talking to the press about it."

NOAA'S OFFICIAL POSITION reflects what used to be the conventional wisdom on the relationship between global warming and hurricanes. Until recently, most empirical climate studies had focused on the *frequency* of hurricanes; and most researchers concluded that there wasn't a link to global warming—the frequency was connected to cyclical trends. But, in the last year, two important studies have suggested that there is an observable link between global warming and the growing *intensity* of hurricanes. In August, Kerry Emanuel of MIT, one of the nation's most respected climate scientists, published a study in *Nature* concluding that global warming may lead "to an upward trend in tropical cyclone destructive potential."

Emanuel was not arguing that global warming caused any particular hurricane, including Katrina. "It's statistically impossible to say this, just as it is impossible to say that a very warm day is a result of global warming," he explains. "All you can say is that the odds of having a day like that increase when you have global warming." In other words, global warming didn't necessarily cause Katrina, but it may be increasing the odds that hurricanes like Katrina will occur.

In September, Peter Webster, H.-R. Chang, and Judith Curry of Georgia Tech and G.J. Holland of the National Center for Atmospheric Research (NCAR) published a study in *Science* that bolstered Emanuel's conclusions. They found "a thirty-year trend toward more frequent and intense hurricanes," which coincided with global warming. While they were careful not to draw final conclusions from the limited period they studied, what they found, the researchers wrote, "is not inconsistent with recent climate model simulations that a doubling of CO_2 may increase the frequency of the most intense cyclones." One of the simulations the researchers cited was done by a NOAA scientist. Thomas R. Knutson of NOAA's Geophysical Fluid Dynamics Laboratory at Princeton and Robert E. Tuleya of Old Dominion University had shown that "if the frequency of tropical cyclones remains the same over the coming century, a greenhouse gas–induced warming may lead to a gradually increasing risk in the occurrence of highly destructive category-5 storms."

These findings have sparked an intense debate among climate scientists. In response to criticism, Emanuel has modified part of his theory without discarding the whole. According to Kennedy, forthcoming papers by Emanuel and by Kevin Trenberth of NCAR could strengthen the case for a link between hurricanes and global warming. In the meantime, however, NOAA, which has never before taken an official position on such a raging scientific controversy, is making pronouncements suggesting that there is no debate at all.

In making these statements, NOAA officials have sometimes included carefully crafted caveats designed to deflect criticism from scientists who know about the controversy. But, because they don't acknowledge the debate explicitly, the general public is likely to miss the caveats' significance. Appearing before a subcommittee of the Senate Commerce Committee on September 20, for instance, Max Mayfield, the director of NOAA's National Hurricane Center, said, "The increased activity since 1995 is due to natural fluctuations and cycles of hurricane activity, driven by the Atlantic Ocean itself along with the atmosphere above it and not enhanced *substantially* by global warming." NOAA

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officials also resort to clever ambiguities that elude the public. They deny, for instance, any link between global warming and hurricane "activity"—a term that glosses over the distinction between frequency and intensity. The November issue of NOAA's online magazine declares that "NOAA attributes recent increase in hurricane *activity* to naturally occurring multi-decadal climate variability" (italics added).

In settings where scientists are not likely to be listening, NOAA officials have even dropped the hedged and ambiguous language. On August 30, Conrad Lautenbacher, the head of NOAA, said in Weldon Spring, Missouri, "We have no direct link between the number of storms and intensity versus global temperature rise." The next month, when CBS's "Face the Nation" host Bob Schieffer asked Mayfield whether the hurricanes had "something to do with global warming," he replied unequivocally, "Bob, hurricanes, and especially major hurricanes, are cyclical." And, at the NOAA press conference, Bell said simply of hurricane intensity: "It's not related to greenhouse warming."

As expected, Rush Limbaugh, Rich Lowry of *National Review*, *The Washington Times*, and other conservative voices have cited NOAA to attack what Limbaugh has called "the global warming crowd." But NOAA's and Mayfield's statements have also influenced mainstream commentators. Citing Mayfield, *USA Today* editorialized against "global warming activists" who were turning the "storms into spin." CNN correspondent Ann O'Neill counseled against attributing hurricanes becoming "bigger and meaner" to global warming. "Don't rush to blame it on global warming, experts warn," she wrote. And two of the experts she quoted were Mayfield and Chris Landsea, Mayfield's colleague at the National Hurricane Center. Citing Mayfield, a *Chicago Tribune* editorial issued a similar admonition against linking hurricanes with global warming.

According to *The New York Times*, officials at the National Aeronautic and Space Administration (NASA) have attempted to discourage its chief climate scientist, James Hansen, from speaking out on global warming. The same thing may be happening to scientists at NOAA. Francesca Grifo, the head of the Scientific Integrity Program at the Union of Concerned Scientists, says a NOAA scientist complained last year of "being what we now call Hansenized." Emanuel, who regularly talks with NOAA scientists, says, "Scientists who don't toe the party line are being intimidated from talking to the press. I think it is a very sad situation. I know quite a few people who are frightened, but they beg me not to use their name."

The main instrument of suppression seems to be NOAA's policy on contact with the press. Since June 2004, NOAA, which is part of the Department of Commerce, has had a policy that its employees have to notify a public affairs officer if a member of the press contacts them for an interview. But the policy was often ignored. Then, on September 29, in the midst of growing public debate over hurricanes and global warming, public affairs official Jim Teet issued a memo requiring that "any request for an interview with a national media outlet/reporter must now receive prior approval by DOC [Department of Commerce]."

NOAA Public Affairs Director Jordan St. John insists that Teet's memo merely restated the existing policy, but, by requiring approval and not merely notification, Teet's order—first publicized by reporter Larisa Alexandrovna of "The Raw Story"—erected an entirely new hurdle in the face of NOAA scientists who want to talk to the press. NOAA employees, speaking on background, described the policy to me as "strange" and "unfortunate."

Georgia Tech's Curry, who also serves as a NOAA adviser on its Climate Working Group, thinks that what is happening at the organization is an "absolute disgrace." Curry knows of NOAA scientists who disagree with NOAA's position on hurricanes and global warming but are being told not to talk to the press. "They are being muzzled," she says. Curry also says that officials have been trying to prevent certain scientists at the National Climactic Data Center from even working on the problem of hurricanes and global warming. "You hear about Hansen, but NASA is not really that bad. NOAA is really, really bad," she says.

Perhaps the most telling indictment of NOAA comes from Jerry Mahlman. Mahlman joined NOAA in 1970, the year it was established, and served from 1984 to 2000 as the director of the Geophysical Fluid Dynamics Laboratory. Retired from NOAA, he is now a senior research associate at NCAR in Boulder, Colorado. Mahlman, who has continued contact with NOAA scientists, says that dissenting scientists are being intimidated from talking to the press and that their papers are being withheld from publication. Mahlman tells me, "I know a lot of people who would love to talk to you, but they don't dare. They are worried about getting fired."

According to Mahlman, the architect of NOAA's policy on global warming and hurricanes is its director, Lautenbacher, not underlings like Mayfield and Bell. Lautenbacher, a former naval officer with a Ph.D. in applied mathematics whom Bush nominated to head NOAA in September 2001, has been an administration point man on global warming at international conferences, where he justifies the administration's rejection of the Kyoto treaty. At a U.N. climate conference in Milan in December 2003, Lautenbacher declared, "I do believe we need more scientific info before we commit to a process like Kyoto."

Lautenbacher's predecessors regularly voiced their opinions on scientific subjects, but they usually tried to steer clear of politics, and they didn't pretend to be presenting an official position on a scientific controversy. But, under Lautenbacher, NOAA has been plunged into Bush administration politics. With the issue of hurricanes and global warming, the organization has entered the even murkier realm of scientific censorship. NOAA, which once exemplified the constructive relationship between science and government, has become an instrument of what author Chris Mooney calls "the Republican war on science." And, in this war, the public is the real casualty. ■

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With friends like these...

Camp Fire

BY MARK KUKIS

On January 29, the *Sunday Times* reported that British investigators had learned few details about the July 7, 2005, terrorist attacks in London that left 56 people, including four suicide bombers, dead. Although the identities of the perpetrators were quickly uncovered last summer, a government document dated October 2005 and leaked to the newspaper last month said that MI5, Great Britain's domestic intelligence service, knew virtually nothing about "how, when and with whom the attack planning originated. ... Whilst investigations are progressing, there remain significant gaps in our knowledge."

While MI5 may be reluctant to endorse any conclusions just yet, the itineraries of two of the attackers certainly suggest some possible answers. As the MI5 report notes, Mohammed Sidique Khan attended a madrassa—or Islamic religious school—in northern Pakistan in July 2003. What's more, Khan and Shehzad Tanweer took the same flight from London to Karachi, Pakistan, on November 19, 2004, and returned to London together on February 8, 2005. During their time in the country, *The New York Times* reports, Tanweer, at least, attended an orientation session at a fundamentalist madrassa in the northern town of Mansehra.

But it seems clear that Tanweer and Khan did more while in Pakistan than pray and read the Koran. As Peter Bergen, author of *The Osama bin Laden I Know*, explains, "What they did on July 7 just is not something you could have picked up by popping into a madrassa or something." And there is really only one other reason to visit Mansehra: to attend the militant training camps that prepare young men to fight the Indian army in the disputed province of Kashmir. Those camps are run by Islamic fundamentalists with ties to Al Qaeda—and they're allowed to operate by the Pakistani military. Which means the Pakistani government may well deserve some blame for the worst terrorist attack in British history.

India and Pakistan have fought two full-scale wars and waged decades of violence over Kashmir since the region was released from British colonial rule in 1947. India sees predominantly Muslim Kashmir as important to its identity as a multiethnic, secular country. Pakistan sees it as part of its natural constituency and thus has supported a violent insurgency against the Indian government. In 1989, the ISI, Pakistan's intelligence service, began helping radical Islamists in Pakistan recruit and train Pakistanis to fight the Indians in Kashmir. Hassan Abbas, author of *Pakistan's Drift into Extremism*, estimates that, during the 1990s, the Pakistani military helped train up to 60,000 militants to fight in either Kashmir or Afghanistan. After September 11, Pakistani President Pervez Musharraf vowed to crack down on militant groups in his country, and a number were outlawed. But, since then, some camps have reemerged. To what extent the government remains involved is murky. But experts say the camps operate under the eye of the Pakistani military. "There is no way the camps can run without the military knowing about it," says Vali Nasr, a political scientist specializing in Islamic extremism.

One of the places would-be jihadis go is Mansehra, a small town about 40 miles north of Islamabad. That is where, in the spring of 2002, I found Hamid. He was one of about ten trainers at a militant camp run by the Harakat ul-Mujahidin, or Movement of Holy Warriors, one of many groups in Pakistan that school guerrilla hopefuls. As we sat talking outside the group's three-story red brick guest house on a quiet hilltop in the center of town, Hamid told me how his group had drawn insurgent volunteers from recruiting offices all over Pakistan. The basic introductory course ran roughly three weeks. Each day started before dawn with prayers and recitations from the Koran by the roughly 100 trainees in each class. After that, the recruits ran and exercised for about two hours. Combat training came after breakfast, with instructors schooling jihadi cadets in small-arms and ambush tactics.

Most of the volunteers were Pakistanis, though foreigners sometimes signed up, too—including American Taliban fighter John Walker Lindh. Before journeying to Afghanistan, Lindh underwent three weeks of Harakat ul-Mujahidin training in Mansehra in the hopes of doing his jihad in Kashmir. But Hamid said the militant trainers who worked with Lindh decided he wasn't good enough to fight in Kashmir, where guerrillas face the formidable Indian army on difficult terrain. Hamid said the more promising volunteers for Kashmir continue where Lindh left off, doing further intensive training either at one of the camps around Mansehra or at many others like it in the area. But, while Hamid and other members of the Harakat ul-Mujahidin liked Lindh, they felt he couldn't hack their advanced courses; he wasn't in very good shape. So they suggested he consider joining the Taliban in Afghanistan, where he could fulfill his jihad against the then–withering Northern Alliance resistance.

The link between the Harakat ul-Mujahidin and the Taliban is telling—one example of the many connections between Pakistani militant groups and Afghanistan-based Islamic groups, including Al Qaeda. Guerrilla fighters in Kashmir and followers of Osama bin Laden consider themselves ideological brethren—soldiers of God in the same war serving on different fronts. Scores of Pakistani militants buy into the idea of global jihad espoused by bin Laden and

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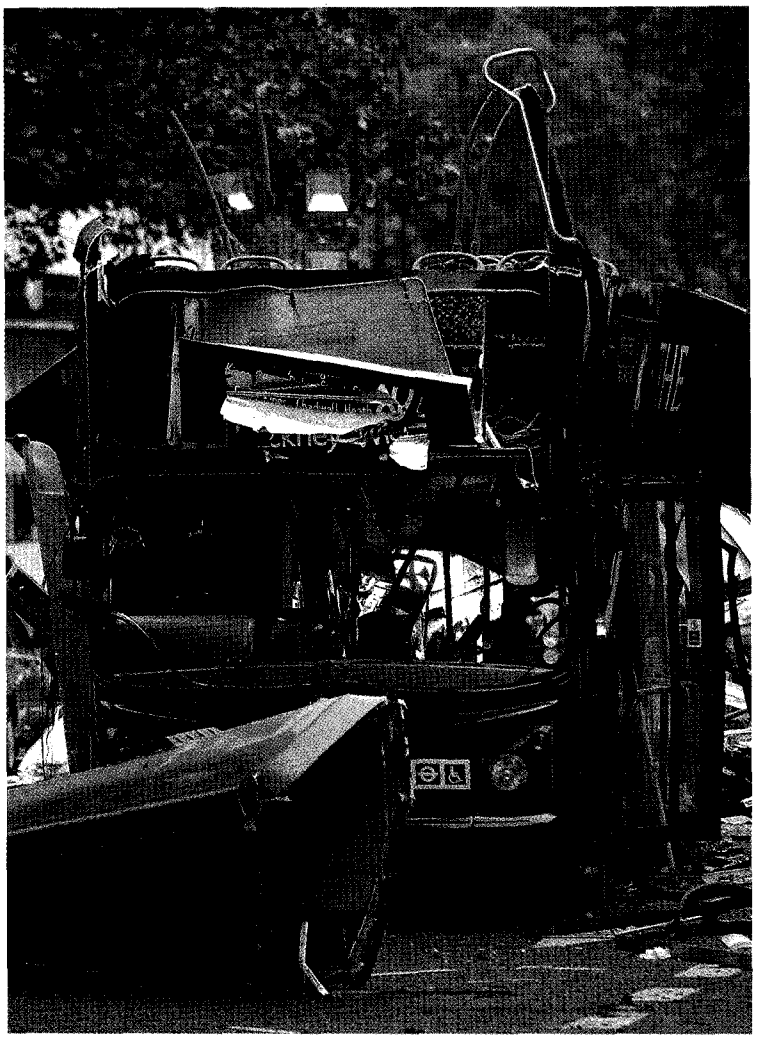

Did the Pakistani government have a hand in training the terrorists who bombed this London bus last July?

other radical preachers. And, of course, the Pakistani government supported the Taliban. So, for the more visionary jihadis in Pakistan, the government's support of the insurgency in Kashmir became a resource easily co-opted for use in other bloody endeavors—and vice versa.

During the '90s, bin Laden's camps in Afghanistan were open to Kashmiri militants. Evidence of this was perhaps most visible in 1998, when the United States fired cruise missiles into terrorist training camps in Afghanistan where bin Laden was thought to be. Bin Laden survived, but a number of Harakat ul-Mujahidin members were killed. Then, in 2002, Al Qaeda operations planner Khalid Shaikh Mohammed teamed up with Jaish-e-Mohammed operative Ahmed Omar Saeed Sheikh in the kidnapping and murder of *Wall Street Journal* reporter Daniel Pearl. And, once the Taliban was routed, Al Qaeda operatives increasingly based themselves in Pakistan, where they were welcomed as old friends and honored guests by groups like Harakat ul-Mujahidin, Jaish-e-Mohammed, and Lashkar-e Tayyiba. "It's all one major network," explains Abbas. "I think, at this point, Al Qaeda and these Kashmiri militant groups are sort of morphed together to a large degree."

IT'S NOT UNREASONABLE to suppose that Khan and Tanweer learned about explosives by attending a guerrilla training school in Northern Pakistan. At some point, someone from the camps likely put Tanweer and Khan in touch with someone from Al Qaeda, and the July 7 plot took shape. A tape of Khan later emerged in which he praised "our beloved sheik, Osama bin Laden." Robert Ayers, an intelligence expert with the Royal Institute for International Affairs, says, "I think that it's a very safe bet that they had linked up with Al Qaeda when they were in Pakistan." Additionally, Ayers says of Pakistan, "That's where they got their training. They didn't learn how to make bombs from watching BBC on TV at night or hanging out in London mosques."

Pakistani officials deny supporting the Kashmiri militants and bristle at the suggestion that Islamabad has failed to do all it can to aid the United States in the war on terrorism. They point to numerous Al Qaeda arrests in Pakistan, regular military offensives against Taliban and Al Qaeda forces along the border with Afghanistan, and successive crackdowns against various militant groups. Indeed, when I visited Mansehra, the Harkat ul-Mujahidin camp was temporarily closed, and, after the July 7 London attacks, Pakistan moved to arrest known militant leaders and expel foreign students from madrassas, the third such effort by Islamabad since 2001.

Even so, some camps remain open, and militants continue to gather in places like Mansehra. At worst, the Pakistani military is actively involved in the training of men like Tanweer and Khan. At the very least, the military rulers in Islamabad allow militants to carry on terrorist training in territories they control. Last July, a Pakistani news magazine, the *Herald*, reported that 13 militant camps were active around Mansehra. At the same time, the head of the Indian army, General J.J. Singh, estimated that between 2,000 and 2,500 militants were training in 53 different Pakistani camps. All of which makes Pakistan far from an innocent actor—and raises the question of how much longer we will look the other way while an ally sponsors terrorism. ■

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A guide to the Clinton juggernaut.

Welcome to Hillaryland

BY RYAN LIZZA

LAST SUMMER, AS other potential 2008 presidential candidates were making their first sojourns to Iowa, Hillary Clinton did something a little different. She brought Iowa to Washington. In June, the senator, who is up for reelection this year but who has yet to draw a Republican challenger worth fretting about, entertained several key caucus-state activists and donors at her five-bedroom brick home on Embassy Row. Known to Hillary aides simply as Whitehaven, the 4,700-square-foot mansion is the site of the senator's regular Washington fund-raisers and strategy sessions. Other 2008 contenders—Evan Bayh, Bill Richardson, John Edwards, John Kerry, and Mark Warner—have all recently introduced (or reintroduced) themselves to Iowans. Clinton introduced the Iowans to Hillaryland.

Ever since 1992, when a young campaign staffer answered a phone call from Hillary with the greeting "Hillaryland," the future first lady and her devoted, mostly female aides have embraced the cutesy sobriquet as a way to describe their unique, un-Bill (and sometimes anti-Bill) sorority. In the 1992 campaign, it described a small corner of office real estate in Little Rock where her staff toiled. In the Clinton White House, Hillaryland grew into an influential but often frustrated power center inhabited by dutiful staffers whose first allegiance was to the first lady, not the president. "[W]e were also our little subculture within the White House," Hillary writes in her memoir. "My staff prided themselves on discretion, loyalty and camaraderie, and we had our own special ethos. While the West Wing had a tendency to leak, Hillaryland never did. While the president's senior advisers jockeyed for big offices and proximity to the Oval Office, my senior staff happily shared offices with their young assistants." Bill Clinton staffers regarded the dwellers in Hillaryland as Kool-Aid drinkers with awful political judgment. Hillarylanders saw Bill's people as showboats and referred to them dismissively as the "white boys." Hillary "took a dim view of many of her husband's West Wing advisers," writes John Harris in *The Survivor*, his excellent account of the Clinton years, "who she regarded as too immature and too worried about currying favor with the Washington press." Hillaryland was different.

Today, Hillaryland is a vast political empire based in Washington and New York that, in its scale and ambition, is unrivaled in Democratic politics. But the spirit of Hillaryland, as well as many of its leaders, remains the same. Alan Patricof, Hillary's Senate campaign finance chair, who has been raising money for the Clintons for two decades, says, "She's got a very loyal group of people around her who have supported her for a long time." In fact, everyone in Hillaryland says that. They prefer to compare Hillary's operational style to George W. Bush's rather than Bill's. The unspoken, and sometimes spoken, premise is that, unlike her husband's White House team—not to mention the last two Democratic presidential campaigns—there are no mercenaries in Hillaryland, only true believers, a culture they say is hardening now that many Democratic sharks are circling Hillaryland, looking for a way in. "I have been involved with her for seven years. [Advisers] Patti [Solis Doyle] and Maggie [Williams] are going on 15," says one close adviser. "There is an intense loyalty."

In Hillaryland, you're either in or you're out. Bill Clinton famously agonized over pushing aides from his inner circle. He cried and apologized the day his fired press secretary Dee Dee Myers left the White House. After the 1994 elections, he dawdled and couldn't bring himself to get rid of several advisers who were left wondering about their status, even as he began to rely on their replacements. In contrast, Hillary's team likes bright lines, and one way they maintain them is by firmly establishing an in-crowd. Joe Lockhart, the White House press secretary and face of the Clinton administration for two and a half years? Out. (They suspect he's a John Edwards man, though an Edwards aide says he isn't.) James Carville? In. (He's personally close to Hillary and speaks to her regularly.) Doug Sosnik, one of Bill Clinton's senior strategists in the late '90s? Out. (He's advising former Virginia Governor Mark Warner.) John Podesta, Clinton's last chief of staff and now the president of the Center for American Progress? Way in. (He has important links to labor and environmental groups and serves as a policy conduit to Hillary.) Leon Panetta, Clinton's second chief of staff? Far out. (He clashed with Hillary and tried to keep Hillaryland at arm's length from the West Wing.) But trying to determine who's in and out is nothing compared with figuring out who's influential and who's not. That search takes you deep into Hillaryland.

ONE DAY, I was walking down the street and bumped into a tier-one Hillary adviser. We gossiped about Hillaryland, and he cryptically suggested that Harold Ickes, one of the architects of Hillary's 2000 Senate campaign and a devoted Hillary man, was no longer a key player. This seemed like big news. When Hillary first decided to run for Senate, it was Ickes who sat with her in the White House residence with a giant

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map of New York, explaining the challenges she faced. Hillaryland without Ickes is inconceivable. It turned out that the word on the street (literally) was wrong. It was some kind of complicated misdirection, something one often encounters in Hillaryland. Hillaryland experts offered me two contradictory explanations: Either my source was trying to *sideline* Ickes, an old White House rival, or *protect* Ickes, whose work with 527s requires him to maintain some distance from Hillaryland. But, for the record, Ickes is still an influential adviser.

As the case of the Ickes riddle shows, getting answers to simple questions is always a little harder in Hillaryland. Part of the problem is that there are so many power centers. For most senators, there's only one—their Senate office. But, in Hillaryland, the Senate is just one outpost in a sprawling political organization. Says an adviser, straining not to offend Hillary's Senate aides, "Let's just say there are big and important players outside of the Senate office."

The office is, however, an interesting microcosm of greater Hillaryland. It is relentlessly on-message and extremely wary of reporters. When I called the communications director to ask about the culture of the office and the backgrounds of its senior employees, she read me a staff directory. "Tamera Luzzatto is our chief of staff. ... Miguel Rodriguez is the counsel. ... Phillippe is the press secretary. ..." According to other denizens of Hillaryland, the Senate staff is especially tight-lipped because many aides don't have longtime Hillary connections and realize that most of Hillary's top strategists and advisers work elsewhere. "It's a unique Senate staff, in that the main decisions don't get made by the Senate staff," says one Democrat. In fact, Hillary's closest policy adviser, the highly regarded Neera Tanden, who has been with her for the better part of a decade, now works at the Center for American Progress. Luzzatto, the chief of staff, is a 20-year Senate veteran and is valued for her adept cloakroom politics, not her strategic or policy advice. "She does outreach to the groups," says an adviser. "She doesn't handle the legislation that much. She's much more hands-on into the politics, the personal politics in the Senate, dealing with other senators." If there's a cultural divide in the office, Democrats say, it's between worker-bee Senate aides and Hillary zealots. "When I came to the Senate office," says a longtime Hillary adviser, "I started throwing around 'Hillaryland,' and people looked at me like I was crazy."

While the Senate office may not be Hillaryland's nerve center, it is the public platform used to define the post–White House Hillary brand. And this ideological brand—and the people shaping it—are decidedly centrist. Consider, for example, Hillary's new legislative director, Laurie Rubiner. The newest senior staffer in Hillaryland, Rubiner came to Hillary by way of former Republican Senators Lincoln Chaffee and Bob Dole and, most recently, the aggressively centrist New America Foundation, where she ran a program on universal health insurance. Her hiring says a lot about where Hillary is headed on the issues that may define a presidential campaign. Rubiner favors a universal plan, whereby the government mandates the purchase of health insurance, just as it does car insurance, from competing private providers, while subsidizing the neediest. Back in the '90s, this was the centrist alternative to Hillarycare, and it was sponsored by Rubiner's ex-bosses, Chaffee and Dole.

The Senate office has also been instrumental in executing Hillary's high-profile campaign to co-sponsor legislation with practically every extremist Republican in the Senate. Her policy seems to be: The more right-wing the co-sponsor, the better; extra points for anyone involved with her husband's impeachment. There was the legislation to ban flag-burning, co-sponsored with Utah's Robert Bennett. There was the video game violence bill with Sam Brownback and Rick Santorum and the work on National Guard benefits with impeachment leader Lindsey Graham. Most of the issues on which she has allied herself with Republicans are symbolic, an effort to show, in the words of one senior adviser, that she's "a little more socially conservative than people think." This approach may also help her defuse future conservative criticism, something her Republican colleagues have belatedly come to realize. In fact, when I called the spokesmen of six of Hillary's GOP co-sponsors, I couldn't find a single one who criticized her commitment to the specific issue at hand, but most were decidedly uninterested in any more attention to their partnership. In one peculiar conversation, I negotiated a delicate agreement with a jittery GOP staffer to identify him only as a Republican and not by his boss's name. I expected him to unload. "I gotta admit," he said of Team Clinton, almost embarrassed, "they have been very good to work with. When they say they are going to do something, they do it! What more do you want? We worked really well with them."

IF YOU REALLY want to understand Hillaryland, you have to look outside the Senate at the array of political machinery that runs and finances the Hillary empire. Between her own political and campaign committees and the fund-raising she has done for other Democrats, aides say that Hillary has raised some $50 million since 2001. In true Hillaryland fashion, the person who actually manages this expansive operation is almost unknown in political circles. She rarely talks to the press, save for an occasional anodyne quote about successful fund-raising numbers or one repeating how focused Hillary is on her Senate reelection, not the White House. She never appears on television. She declined to cooperate with this article. Her name is Patricia Solis Doyle—Patti to everyone in Hillaryland—and her job is running Hillary's two main fund-raising entities, HillPAC, a so-called leadership committee, and Friends of Hillary (FOH), the senator's reelection vehicle.

When Hillary advisers point out that, unlike the last three Democratic presidential candidates, Hillary is surrounded by longtime loyalists, they're talking about people like Doyle, one of the crawl-across-broken-glass-for-

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Hillary friends, mostly women, who have been around a long time. Others in this camp are Maggie Williams, Hillary's former East Wing chief of staff, who helps Doyle manage Hillaryland, and Tanden, a daughter of divorced Indian immigrants who credits government programs with saving her life and who has worshipped Hillary ever since she served as a nobody campaign staffer in 1992. Unlike Bill Clinton's people, every Hillary lieutenant has a story of a personal favor or act of kindness their boss performed—a birthday party thrown at Whitehaven, a personal phone call during a rough time.

Doyle, the sixth child of Mexican parents who came to the United States illegally, is the president of this Hillary fan club. The first person Hillary hired for the 1992 campaign, she had the disarmingly simple title of "scheduler." Hillary has written that Doyle "ran my life hour by hour for nine years," and aides invariably describe her as one of Hillary's closest confidantes, even if she's not the most influential strategic and political adviser. "She's the key person of the campaign," says Patricof, who hosts a monthly summit in New York of the Senate campaign's top 100 fund-raisers and works closely with Doyle. "And she's the interface. If I want to have a discussion about something of some significance, that's the person I call."

Doyle founded Hillaryland, and, 15 years later, she's running it through her administration of the senator's fund-raising arms, particularly HillPAC. After Hillary's New York victory, HillPAC was the dominant political and fund-raising entity in Hillaryland, but, as 2006 approached, staff and energy gradually shifted from HillPAC to FOH, which is housed in the same K Street suite. Until the recent switch toward FOH, HillPAC had, in some ways, been the heart of Hillaryland. Ostensibly, its goal is to help elect other Democrats around the country. And, indeed, it has given a lot of money to other candidates and party committees—about $1 million in 2002 and about $500,000 in 2004. But that represents just 30 percent and 20 percent, respectively, of what the committee raised in those cycles. "In theory, a leadership PAC is designed to give money away," says one Democratic campaign finance expert. "But they use the rest of it for political purposes. There are only so many candidates you can give money to."

HillPAC, which is really the holding company for Hillary's political machine, supplements the salaries of Hillary's Senate staffers. It pays the consultants who write Hillary's speeches for, say, a Gridiron dinner. It pays for the Beverly Hills firm Capital Strategies, which lassoes Hollywood money for Hillary. It pays about $5,000 a month to Hudson Media Partners, the political arm of the Glover Park Group, the powerhouse corporate consulting firm of Hillary's top communications guru, Howard Wolfson. It writes checks to Occasions, the swanky Washington caterer that outfits Hillaryland events at Whitehaven. One of its largest expenses is to direct mail firms like O'Brien, McConnell & Pearson and Merkle Response Services, which are canvassing every nook of the United States for Hillary donors. By 2008, Hillary may have the most massive fund-raising database in politics.

Another key personality and loyalist involved with both HillPAC and FOH is Ann Lewis, a Clinton White House alum best known for her chipper TV punditry during the darkest days of '90s-era scandals. A sort of Democratic Karen Hughes, she is so on-message that she recently left a voicemail for me concerning setting up interviews for this piece, but then launched into an unprompted critique of Bush's State of the Union address. Lewis operates as a spokeswoman for Hillary, and she is also an ambassador to Democratic constituencies. She writes fund-raising e-mails and keeps an eye on Hillary's relations with minorities and women. "Ann Lewis is much more an old-line Democrat," says a senior Hillary adviser. "She comes from the base." As Hillary carves out an increasingly unambiguous centrist path, aides often point to Lewis as evidence of ideological diversity within the senior ranks of the campaign team. But one also gets the sense that this is partly her role—someone who gives Hillary credibility with liberals anxious about her recent moves. Not that they are trembling in Hillaryland over the fire from the left. The political bet is that, in a presidential campaign, the Democratic base of women, blacks, and labor can be won over in two ways: old-fashioned outreach and stroking by people like Lewis or by the sheer star power of Hillary Clinton.

WHILE THERE ARE plenty of lefties populating Hillaryland, especially in her circle of female confidantes, the spirit of the place is far from the communist salon imagined by the right. Read, for example, an excerpt of the mission statement of HillPAC, which is the closest thing in Hillaryland to her national platform:

> We believe America must return to the path of fiscal responsibility that led to unprecedented prosperity during the 1990's, helping to create more than 22 million new jobs and leading to historic, low levels of unemployment, inflation, crime, and interest rates and high levels of home ownership, access to education and productivity.
>
> HILLPAC supports candidates who are working to restore investor confidence, ensure corporate accountability and protect workers' pensions.

There are very few Democrats whose central message is about interest rates, crime, productivity, and investor confidence. And the ones who exist have been hounded into silence in recent years by the Internet left. Hang out in Hillaryland long enough and you realize it has embraced almost none of the hyperpartisan culture of the so-called netroots that many Democrats are chasing. And the make-up of Hillary's core political consulting team suggests that's not going to change.

When Howard Wolfson, Harold Ickes, Mandy Grunwald, and Mark Penn were thrown together six years ago,

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there was no reason to predict they would produce a twelve-point victory for Hillary in New York. Wolfson, the communications czar, had no previous experience in Hillaryland, but, as a local, he was liked—or at least feared—by the New York press. Ickes, the expert on New York state politics, had been unceremoniously dumped by Bill Clinton at the moment he thought he was going to be promoted to chief of staff (he read about it in the newspaper). Grunwald, the ad-maker and a 1992 campaign alum—that's her voice yelling out of the speakerphone at James Carville in *The War Room*—was kicked out in 1995 to make room for the new team, which included none other than pollster Mark Penn. Penn, in turn, was brought in by Dick Morris, a man that Ickes has hated—"He's a sleazy son of a bitch," he has said—for about 25 years, ever since they tangled in the politics of the Upper West Side.

These days, Hillaryland insiders like to compare the crew to Bush's cohesive iron triangle of loyalists (Karl Rove, Joe Allbaugh, and Karen Hughes) who brought him from failed businessman to governor to president, but it didn't look that way in 2000, when the campaign team devolved into two warring camps. According to Michael Tomasky's insider account, *Hillary's Turn*, a Hillaryland lifer, Susan Thomases, persuaded the first lady to add an edgy consultant, Dwight Jewson, to the team. The move sparked a war between Penn and Grunwald (who both wanted a laser-like focus on New York issues and who resented the presence of the new strategist) and Ickes and Jewson (who insisted on confronting character issues like the charge that Hillary was an opportunist). The war lasted four months, included a blockbuster *New York Times* magazine story based on a leaked Penn polling memo—an incident that turned the campaign into a fortress of secrecy—and generally almost sank Hillary. But, in the end, Penn and Grunwald, with their insistence on issues, no matter how small, won the internal battle and, of course, Hillary won the race.

Ever since then, Penn has been the messaging mastermind of Hillaryland. His stubborn centrism, arrived at by sifting through tons of granular-level psychographic polling—that is, psychological and demographic—has long angered liberals, and it is likely be the greatest source of future tension in Hillaryland. "We kind of know what Mark is going to say in every situation," says one top adviser to his left. But there is little doubt that Hillary is a true devotee of Penn—who is also a Tony Blair adviser and partisan of the transatlantic Third Way project—and his middle-of-the-road style of politics.

Penn's centrality to her political organization explains a lot about the political lessons Hillary has learned and the path she sees to the White House. Even as Hillary has rejected many Clintonites and the organizational style of their regime, she hasn't rejected Clintonism. As her memoir makes clear, more than impeachment, the defining political moment in her life was the 1994 GOP takeover of the House, which devastated her. She was the one who brought Morris and Penn into the White House after that cataclysmic event, not her husband. She even defends Clinton's much-maligned strategy of triangulation. "More than old-fashioned political compromise of splitting the difference," she writes in her memoir, "triangulation reflected the approach Bill had promised to bring to Washington." There was never any doubt that, after helping her husband win reelection and evolving into the most influential Clinton adviser of the second term, Penn would work for Hillary.

In the last six years, Hillary has built and held together a fearsome operation. She has rewarded longtime loyalists, while keeping doctrinaire old-timers on the payroll but at bay. She has pulled back into her orbit once-disaffected Clintonites whom she needs. In short, she has been ruthlessly pragmatic about who's in and out in Hillaryland, hand-selecting specialists who could advance her political fortunes in specific areas. Penn proved himself as a "brilliant" (her word) strategist by reviving her husband's presidency. Ickes knew New York politics. (If she had run in Illinois, she would have tapped Rahm Emanuel or some other prairie state Clintonite.) Her Senate chief of staff was hired for her special knowledge of the Byzantine chamber.

But she has also built a sprawling enterprise with competing power centers and ego-fueled senior aides with decades of rivalries and political baggage behind their resumés. And she has turned Hillaryland's strategic steering wheel over to a pollster with a controversial view of how elections are won, which risks alienating many Democrats. Hillaryland will rise or fall on these two decisions.

My guess is the ideological tensions will be harder to overcome than the organizational ones. When I asked a senior adviser what Hillary's toughest vote in the Senate was, this person immediately answered, "The war vote. It's a big thing going to war." The Iraq war divided Hillaryland. Tanden, for instance, vigorously opposed the war, while a faction of Democratic hawks inside and outside Hillaryland assured the senator of the conflict's wisdom. Hillary is determined not to become tied in a pretzel by her pro-war vote, like John Kerry was. But there is evidence of some regret. In a private meeting with Ken Pollack, an aide says Hillary pointedly questioned the pro-war author: "Ken, you talked to me about weapons of mass destruction. What happened?" Some advisers now also highlight reservations she had. "I talked to her the day we invaded," says one. "She said, 'This could be very messy.' She was very tortured that day. She was never gung ho. ... She was thinking, 'This could still go either way.' " The same thing could be said about Hillaryland. ■

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BOOKS & THE ARTS

STANLEY KAUFFMANN ON FILMS

Fancy Free

IF THERE IS A HEAVEN FOR COMIC iconoclasts, Laurence Sterne is leaning out of it, smiling. The film made of his novel **TRISTRAM SHANDY**—more properly, the film instigated by his novel—has caused a stir because it juggles cinematic conventions just as he gamboled with the conventions of the novel.

TRISTRAM SHANDY: A COCK AND BULL STORY
(Picturehouse)

NANNY MCPHEE
(Universal)

However, as he views things from his present perch, Sterne can see that, unlike his own daring, this picture had predecessors in wry film-consciousness. To name a few: Buster Keaton's *Sherlock, Jr.*, Jean-Luc Godard with several of his early pictures, Karel Reisz's *The French Lieutenant's Woman*, and—a woefully ignored gem—Richard Lester's *How I Won the War*. One could almost say, contrary to Sterne's environment, that anti-convention films have become a minor convention.

Still, if not exactly a groundbreaker, *Tristram Shandy* has its refreshments. The picture begins with the two leading actors, Steve Coogan and Rob Brydon, being made up for their double roles in the film: one is to be Tristram-Shandy-and-Steve-Coogan, the other is to be Toby-Shandy-and-Rob-Brydon. In fact, Coogan plays a third role: near the start he flips on a wig to become his own father, Walter, during the arduous birth of the baby who is to grow into Tristram. Other members of the cast also appear both as Sterne characters and as themselves. Action then tumbles forth, mostly in a huge country house, sometimes set in the eighteenth century, sometimes in the present.

A few snatches of cogent story are visible in both the Sterne and non-Sterne scenes, but as Walter Allen said of the novel, "To summarize the plot is to say even less about the book than such a procedure usually does." A phrase that Sterne mentions near the finish of his book is used as the film's subtitle, "A Cock and Bull Story," and it doesn't escape comment in the picture. The screenplay is credited to Martin Hardy, though some of the "off-camera" dialogue seems improvised. Those scenes are in the mode of what Sterne said writing should be like—conversation. "Off camera" the cast and crew chat about love affairs and professional matters and a couple of babies, none of which is meant as either parallels to or contrasts with the novel. They are quite deliberately irrelevant to the book, and thus, paradoxically, they mimic some of Sterne's excursions.

Coogan and Brydon and Naomie Harris as a production assistant are light and lively. The film world permeates the "off-camera" talk: Fassbinder gets discussed. (Bits of Nino Rota's music for two Fellini films brighten the score.) The director Michael Winterbottom, who has been credited with serious postmodernist intent, may or may not have it—at any rate, he frolicks about. Apparently he also wants to feed a hunger that teases many of us about one film or another or about film-making in general. What are these actors *really* like? What do they say just before and just after the camera rolls? (An MGM actress once complained that Clark Gable had bad breath. I never see a Gable love scene without remembering it.) In other words, what is the stream of life that flows around this fabricated stream of life?

Was Sterne especially interested in upsetting the quick-frozen conventions of novel-writing? Certainly, but perhaps there is another factor. Sterne, like the other great satirist-ironist later in his century, Jonathan Swift, was a clergyman. Virginia Woolf said of Sterne: "It was a daring thing for a clergyman to perceive a relationship between religion and pleasure." One can imagine that both Sterne and Swift saw the pleasure in their writing as a way to modulate the difference between life as it ought to be and life as it is.

In any case, sitting in front of *Tristram Shandy* for an hour and a half lets us enjoy the fact that, smooth though its making is, the picture is winking at us.

NANNY MCPHEE was made for children. I intruded because Emma Thompson wrote the screenplay and is in it. I hazard the guess that quite small children—pre–science fiction, pre-heroics—will enjoy its fairy-tale quality. Thompson, said one report, became interested in the project through reading the original novels, by Christianna Brand, to her daughter (b. 1999).

The story is about seven young English brothers and sisters in the nineteenth century who are very badly behaved and have driven several nannies out of the house. They are the children of a funeral director—Colin Firth, kind but harried—who spends most of his day among coffins. A new nanny, McPhee, arrives, not exactly sent for but provided, she says, by the government. This is Thompson, with a bulbous nose, a fang rather than a bucktooth, and warts that appear and disappear. She is calm and confident, and since this is a fairy tale, we know that she will prevail with the children. A few touches of magic help her. We know, too, that if we can only be patient, in time we will see the true Thompson face.

Parents who take youngsters to this film can, in addition to the fun of their companions' responses, get some rewards of their own. First, they will see prominent actors just lending a hand. Derek Jacobi, an Antony and a Cyrano and heaven knows what else, plays a funeral assistant. Angela Lansbury, no longer Marpling along, dons a beak nose and outsize hauteur to play a tyrannical aunt. (The aunt's money is important in the plot, which needs no further details.) Possibly these actors and others took their parts not only out of friendship for Thompson but because they had a

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chance to mug like mad. *And* they are in the midst of a furious food fight at the end. Additionally, some of the textiles, tweed and velvet, that the designer Nic Ede used for the men's costumes are knockouts. And there is a comfy wall-to-wall score by Patrick Doyle, who did the memorable music for the two Kenneth Branagh films of Shakespeare in which Thompson appeared.

If Thompson makes more films of books that she has read to her daughter, I'll attend. But I hope she'll favor some books that she might have read to us. ■

Noah Feldman
Not in the Heavens

WITNESSING THEIR FAITH: RELIGIOUS INFLUENCE ON SUPREME COURT JUSTICES AND THEIR OPINIONS
By Jay Alan Sekulow
(Rowman & Littlefield, 349 pp., $27.95)

I.

THE CONFIRMATION OF JUSTICE Samuel Alito brings to five the number of Catholics on the Supreme Court of the United States. All Americans can be proud of this fact, or more precisely, proud of the fact that Alito's religious affiliation never became an issue during his confirmation process. It marks tremendous progress over a constitutional history in which the fear of Catholicism was a recurrent theme.

Things were not always as they are now. The Sons of Liberty harbored a paranoid fantasy about a Catholic takeover of North America, spearheaded by a vanguard of invaders from Canada. Catholic immigration to the United States in the 1840s was met with a refusal to take the Protestant King James Version of the Bible out of the public schools or, alternatively, to provide government funding to separate Catholic schools; and the resulting controversy gave rise to such shocking events as the Philadelphia Bible riots of 1844, an extended pogrom during which nativists claiming that Catholics wanted the Bible out of the schools killed thirteen people and torched a Catholic church. In 1876, the Republican presidential hopeful James G. Blaine proposed a constitutional amendment banning state support for "sectarian" (that is, Catholic) schools. Aimed to create a wedge between Catholics and other Democrats, the amendment failed at the federal level. But dozens of states adopted copycat constitutional amendments that remain on the books. As late as 1950, Paul Blanshard's *American Freedom and Catholic Power*, a national best-seller, argued that Catholicism was essentially anti-liberal—especially because of its commitment to papal power—and posed a threat comparable to that of communism.

Today all these fears seem like relics of another age. Anti-Catholicism as a distinctly American bias is not merely gone, it is also mostly forgotten. Contemporary opponents of state funding for parochial schools are not out to get Catholics, but rather want to stand firm against potential encroachment on the separation of church and state. And substantial credit for this improvement lies with the Framers of the Constitution.

Whatever their private beliefs and prejudices, the Framers put into the Constitution the guarantee that "no religious test shall ever be required as a qualification to any office or public trust under the United States." Those present in Philadelphia in the hot summer of 1787 ultimately decided that no Bill of Rights was necessary in their draft Constitution—the promises of religious liberty and nonestablishment were still a couple of years away; but the religious test clause was understood to be so fundamental that it made it into the original core document. It represented a break from practice in several of the states. Everyone understood that it opened the door to Catholics and Jews serving in the national government. The clause could not, on its own, preclude political prejudice; but it did hold out the promise that such bias was fundamentally inconsistent with our constitutional project. In a sense, it opened the door to Justice Louis Brandeis and President John F. Kennedy—and now Justice Samuel Alito.

What stood behind the Framers' confidence that the new Constitution should be willfully blind to the religious allegiances of government officials? Partly, they shared the belief that government lacked coercive authority in matters of religion, and must therefore respect the individual's liberty of conscience. But so great a liberal philosopher as John Locke—whose ideas formed the basis for the American idea of liberty of conscience—had maintained that Catholics must not be tolerated in the commonwealth, since they owed primary allegiance to the pope in Rome. To move beyond Locke, the Framers had to do more than embrace the idea of a formal distinction between religion and government. They also had to accept the hypothesis that men swearing an oath to support the Constitution would put that duty ahead of any particular commitments entailed by their religious faith. That is why the religious test clause appears immediately after the requirement that every public servant in the country, whether state or federal, must swear or affirm support for the Constitution.

The history of public officialdom in the United States has largely borne out the Framers' confidence. It is difficult to find even a single government official of importance in the last several centuries who justified or explained his performance of public duties primarily in terms of private religious belief. That is not to deny a rich tradition of theological interpretation of America and its place in the world. Lincoln's Second Inaugural Address not only acknowledged that we must follow the right "as God gives us to see the right," it also depicted the Civil War itself as divine punishment for the original sin of African slavery. Yet Lincoln was not suggesting that the Bible—read, as he bravely pointed out, by both North and South—gave him, or us, the answers to our constitutional problems. He was saying, rather, that in preserving the Union he was acting according to his constitutional conscience—so help him God.

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II.

THE AMERICAN POLITICAL practice of answering secular public problems with secular public solutions is today subject to increasing challenge. That challenge did not begin with George W. Bush's comment in the presidential primary debates in 2000 that Jesus is his favorite philosopher. (At around the same time, Senator Joseph Lieberman, running for vice president, often gave religiously grounded explanations for particular policy positions.) It has grown gradually, but steadily, from the rising political power of evangelical Christians since America's third great awakening began in the middle of the 1970s.

For many (though by no means all) evangelicals, the primacy of religious commitment in the making of political choices is itself an article of faith. This religious belief is not in itself inconsistent with the American habit of public political discourse. According to one influential version of the evangelical position, the believer must draw on his inner faith in order to form his essential "values." These values derive from religious dogma, but they are not identical to it. Framed at a broader level of generality—the dignity of the human person, say, or the sanctity of life—these values can then be brought into the public realm for purposes of political debate and policy-making.

Martin Luther King Jr. drew on this model of argument in his letter from the Birmingham jail, a document that has become part of our collective constitutional conscience. King distinguished just laws from unjust laws by saying that only the former squared with "the moral law or the law of God." Yet he grounded his rejection of segregation not only on divine law, but also on the Constitution itself, as interpreted by the Supreme Court. Influenced by the moral realism of Reinhold Niebuhr, he also went on to explain that one who violated an unjust law must be prepared to accept the penalty. King's political vision was profoundly informed by religion, but his reasoning relied primarily on an interpretation of the Constitution.

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SOME CONTEMPORARY EVANGELicals, however, have adopted a different version of the primacy of religion in political argument. It is today not impossible to hear the argument that God's law ought to be implemented directly in the United States. The Chalcedon Foundation, founded by the theologian R. J. Rushdoony, advocates the adoption of biblical law by the state—not coercively, but after Americans have converted to Christianity. Or consider the formulation of Kevin Clauson, president of Christ College and a member of the board of the National Reform Association, founded originally in 1864 and for decades devoted to a "Christian amendment" to the Constitution: "America and other nations can be Christian if they adopt biblical laws in state, church, family, and all other entities and associations. We cannot trust man (individually or collectively); we must trust God and His immutable law. If civil magistrates will not apply the Old Testament law, then what will they apply? The law of man. If we will not be ruled by God, we will be ruled by tyrants." This is a forthright argument for theocratic rule. It is not substantially different from arguments made by many contemporary Islamists and some Jewish radicals in Israel. Needless to say, it is wholly inconsistent with the Framers' constitutional vision, which, drawing upon Locke, rejected the very idea of a Christian commonwealth.

There is no evidence that any significant number of American evangelicals would embrace the goal of biblical law in a wholly Christianized society. The emphasis on faith as a source for "values" remains the mainstream position. And yet a growing number of evangelical thinkers seem to be attracted to the view that Christianity must seek to infuse the full range of human activity, including government. Thus the Presbyterian minister D. James Kennedy, founder of Coral Ridge Ministries (a $25 million-a-year operation) and the Center for Christian Statesmanship, has declared that "our job is to reclaim America for Christ, whatever the cost. We are to exercise godly dominion and influence over our neighborhoods, our schools, our government, our literature and arts, our sports arenas, our entertainment media, our news media, our scientific endeavors—in short, over every aspect and institution of human society." The word "dominion" in this passage is ambiguous, perhaps deliberately so. Kennedy does not directly call for biblical governance, but he at least hints that God's realm extends directly into the halls of the Capitol—where, as a matter of fact, his organization holds regular lunches with "Christian statesmen" under the rubric of "politics and principle."

IN THIS POLITICAL-RELIGIOUS environment, the relation of an official's faith to his political practices has become a renewed topic of conversation in evangelical circles. That is the best reason to examine the new book by the lawyer-activist Jay Sekulow, a central figure in the evangelical rethinking of constitutional law and practice. He serves as chief counsel for the cleverly initialed American Center for Law and Justice (ACLJ), a law firm founded by Pat Robertson to represent evangelicals in constitutional litigation. He has appeared several times at the Supreme Court on behalf of evangelical causes.

Sekulow is a self-described Messianic Jew (that is, he accepts Christ while retaining the Jewish appellation) who reaches a broad evangelical audience through his radio program and appearances on Robertson's *700 Club*. A recent profile of him in *Legal Times* detailed the vicissitudes of Sekulow's career, from the low point of his bankruptcy in the 1980s to the recent controversy over his salary and the finances of his organizations. Between constitutional litigation and hobnobbing with John Ashcroft and other past and present Bush administration notables, Sekulow has been a very busy man, and one wonders how he found time to write three-hundred-plus pages about some rather arcane Supreme Court justices. The book does not have the air of having been ghostwritten, nor is it framed as a polemical money-maker in the Coulter-Moore genre. No, it is something altogether different: a labor of intellectual love.

Witnessing Their Faith, it turns out, is Sekulow's doctoral thesis, written for the School of Leadership Studies at Pat Robertson's Regent University in Virginia Beach. Whatever its merits as an

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example of "leadership studies," Sekulow's work is a failure as history. This is not because his facts are wrong. Most of them are correct, and a reader new to the subject could certainly pick up some useful things about the history of church and state in America. The trouble with Sekulow's book lies in its selection and its interpretation of biographical materials about nine Supreme Court justices and their opinions. The choice of examples is highly selective, and the interpretations are pervasively tendentious. *Witnessing the Faith* is an important document of a disturbing phenomenon.

III.

THE CENTRAL CLAIM OF SEKULOW'S book is that in the cases he analyzes, "the opinion of the justices coincided with the official positions held by the religious denomination that had influenced them." In practice, Sekulow cannot successfully demonstrate this claim. Yet the story he tells is worth considering, more for what it fails to show than for what Sekulow claims it does show. A reasonable argument can be made that in fact Sekulow's subjects overwhelmingly separated their religious faith (which was often quite minimal) from their constitutional decision-making. The faith that they witnessed, in other words, was not religious, it was constitutional.

Begin with the most distinguished justice in the book, Joseph Story, the author of the influential *Commentaries on the Constitution*, which appeared in 1833. The justice's religious views could hardly have been more typical of what he was: an educated Massachusetts man of the immediate post-revolutionary generation. (It is noteworthy that Sekulow never gives any social context for a person's religious development, which is always depicted as an isolated individualistic process.) Story was born into comfortable late eighteenth-century New England Congregationalism, but at Harvard College he eschewed both his father's liberal Arminianism and, Sekulow tells us, an uncle's Calvinism. He became a Unitarian, embracing the fashionable new faith that was famously limited to "the fatherhood of God, the brotherhood of Man, and the neighborhood of Boston."

The decision that reflects Story's religion, in Sekulow's account, involved the will of one Stephen Girard. The bequest established a school for orphans to be run by the city of Philadelphia. An immigrant from France, Girard shared the anti-clericalism of the Gallic strand of enlightenment, and he added a clause to the will that expressly banned ministers of any kind even from entering the school's premises, much less teaching in it. The estate was considerable, and the heirs hit on the idea of breaking the will and reaping the windfall.

Writing for the Court, Story upheld the will. He took the opportunity to settle an academic score along the way, insisting (against the authority of Thomas Jefferson) that Christianity was "part of the common law." Yet he limited this proposition to affirming the existence of a common-law crime of blasphemy. In deciding the case, Story argued that the will, though obviously anti-clerical, was not necessarily anti-Christian, since nothing in it barred the reading of the Bible in the school "without note or comment."

For Sekulow, the opinion "resonates with Story's Unitarian theology." If this is true, it is so only in the most indirect sense. In fact, Story's opinion makes sense considered against the background of a polemical dispute that took place in Massachusetts at the same time involving the character of the new public schools, under the direction of state superintendent Horace Mann. The tenor of the criticism—first leveled in 1844 (the year of the Girard case) by an Episcopalian newspaper, *The Christian Witness and Church Advocate*, and continued in subsequent years by Congregationalists—was that the new common schools were insufficiently Christian, because they taught no formal theology of any kind. Mann defended his choice to limit religion in the schools simply to Bible-reading, without comment; he explained that the schools must be non-sectarian so as to avoid religious controversy. They would allow the child to read the Bible "and judge for himself." Story's opinion reflected the same view: that Bible-reading without clerical comment should not be construed as anti-Christian.

It is true that Mann, like Story, was a Unitarian—a fact his opponents sometimes threw in his face—and it can fairly be said that the non-sectarian compromise that he proposed for the common schools was consonant with Unitarian ideas about the usefulness of Scripture to teach general moral lessons. To the extent that Story was implicitly defending the common schools against the charge that they were non-Christian, perhaps Story's opinion was obliquely informed by Unitarianism. But it does not follow that Story was applying his religious beliefs to the Girard case. He was applying the law, and he was doing so in the light of a political reality with which he was certainly conversant. Indeed, his view that Christianity was a part of the common law was if anything inconsistent with Unitarian pluralism—and yet he believed that English common-law historical sources, distorted by Jefferson, supported this essentially legal doctrine.

SEKULOW'S OTHER EXAMPLES OF the religious basis of judicial reasoning fare no better. He contends that Justice Samuel Miller's Unitarian "religious philosophy compelled his decision" in *Watson* v. *Jones* in 1871, a case that deferred to the highest body of Presbyterianism in a dispute over the ownership of church property. But the court's reasoning had nothing to do with religion, Unitarian or otherwise. The opinion simply said that the "civil power" lacked the authority to re-visit the decisions of a "spiri-

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tual court"—a view that was squarely derived from the Framers' Lockean belief that government lacked power in religious matters.

Sekulow argues that Chief Justice Morrison Waite's Episcopalianism somehow led to the opinion in *Reynolds* v. *United States* in 1879, in which the Supreme Court upheld a federal statute prohibiting polygamy in Utah. Waite famously got historical help for his opinion from his neighbor, the eminent historian George Bancroft, and he used the opinion to introduce into American jurisprudence Jefferson's letter to the Danbury Baptists, which called for the preservation of a "wall of separation between church and state." Whether justified or not, the opinion set the tone for subsequent church-state jurisprudence by attempting to identify the constitutional principles held by the Founding Fathers.

For Sekulow, though, "the language of his opinion and the overwhelming evidence that he was a devout Christian" indicate that Chief Justice Waite "viewed marriage through a Christian moral lens" and so found against plural marriage. Now, Waite did say that marriage was both a civil contract and also a sacred institution, and the widespread opposition to Mormonism was both cultural and religious. But the fact that Waite may have been a committed Episcopalian is no proof that he deployed a particularly Christian view of marriage in the decision. Quite the contrary. Waite's distinction between religious conscience (protected by the Constitution) and socially harmful conduct motivated by faith (unprotected) owed little to religion and much to Locke's argument that liberty of conscience would not require toleration of child sacrifice. Sekulow's reliance on Waite's faith to prove that Waite was influenced by religion here comes uncomfortably close to the old saw about the rabbi who proposes to prove from a biblical source that Abraham wore a yarmulke: "The Torah tells us that 'Abraham set forth.' And would our forefather Abraham have set forth without a yarmulke?"

This is probably the most circular of Sekulow's arguments. To be fair, it is true that Justice David Brewer, in the notorious case *Church of the Holy Trinity* v. *United States* in 1892, did hold that a statute granting exemptions to strict immigration rules must not extend to ministers because the United States is a "Christian nation." Congress, said the Court, must therefore have meant to include ministers in the list of persons entitled to be brought into the country for employment. (The opinion added that rabbis should also be allowed under the statute's true meaning.) Sekulow quotes Owen Fiss's wry observation that Brewer "did not draw sharp lines between the Constitution, the Declaration of Independence, Holy Scripture, and *The Wealth of Nations*"—but Sekulow seems to regard this confusion as a badge of honor.

PERHAPS THE MOST IMPORTANT of Sekulow's claims is not originally his own. This is the argument that Justice Hugo Black stood for strong separation between church and state because of his anti-Catholicism, which was reflected in his early and instrumental membership in the Ku Klux Klan as well as his Baptist upbringing. (As a justice, Black avoided church and attended Unitarian services on rare occasions.) The source for this view—which has come to be increasingly accepted among church-state scholars—is Philip Hamburger's important book *Separation of Church and State*. The difficulty with it is that anti-Catholicism can explain at most only half of Black's separationism, namely his view that government must not fund religious institutions. For most of our history, it has been Catholics who sought state funding for religious education, and a clear constitutional ban affected them disproportionately.

But Black also penned or joined key opinions banning school prayer and Bible-reading in the public schools. Far from being Catholic favorites, these practices were actually opposed by Catholics for all of the nineteenth century and some of the twentieth on the ground that they introduced a de facto non-sectarian Protestantism into the schools. It was Protestant nativists—precursors of the Klan—who supported these customs; and by rendering them unconstitutional, Black went against the Protestant norm and helped spawn the modern fundamentalist movement with its opposition to these Court-imposed prohibitions.

Black, it turns out, really did believe in strong separation on principled constitutional grounds. Largely self-taught in constitutional law, he was a devout Jeffersonian, and seems to have gotten his secular tendencies from that potent source. So Black was emphatically not a prisoner either of his religious background or of the racist, anti-Catholic forces that put him into public life.

IV.

IT NEED HARDLY BE SAID THAT Justice William Brennan, perhaps the most influential liberal Supreme Court justice in history, is barely discussed in *Witnessing Their Faith*. Presumably Brennan's liberal activism would not have squared well with his Catholic upbringing and commitments (although one can imagine some historian trying to connect Brennan to the social justice tradition of the Catholic Worker movement). And that is precisely the point: there is no demonstrable direct relationship between justices' religious background or beliefs and their jurisprudence.

If Jewish justices have tended to the liberal wing of the Court, this might seem to reflect the traditionally liberal orientation of the American Jewish community—but Felix Frankfurter, a liberal who came to be seen as a conservative during his two decades of court service, subverts the paradigm. Justices John Roberts and Samuel Alito will probably be reliable conservative votes; but Mario Cuomo would surely have been a liberal one. Justice Anthony Kennedy, a Catholic, has upheld abortion rights and twice written ringing opinions supporting equality and liberty for gay people. Justice Antonin Scalia's jurisprudence of textualism has more in common with the Protestant hermeneutic of *sola scriptura*—reliance on the text of the Bible and not on the history of its interpretation—than with the traditionalism and natural-law reasoning of the canon lawyer. And Justice Clarence Thomas, the court's most reliable originalist, by his own account strayed from the church for some years before returning to his educational roots in the College of the Holy Cross.

So how is one to make sense of Sekulow's attempt to show that faith has lain at the heart of our constitutional law? One clue may be derived from the venue for the dissertation that underlies the book: the School of Leadership Studies at Regent University. Sekulow is after an argument about the nature of government service under the Constitution and its relation to religion. He wants to demonstrate that Supreme Court jus-

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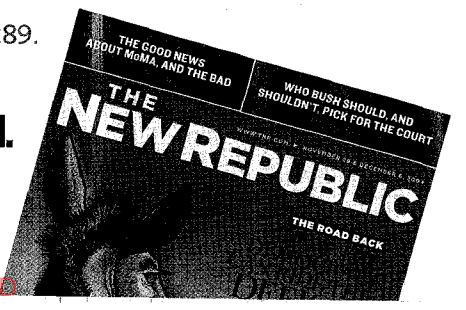

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tices have relied wholly on their religious faith in deciding important constitutional cases. Sekulow is a lawyer, and his historical examples are meant to have the weight of precedent. His book is a historical brief seeking to argue that religious faith is the source that ought to be used in making law.

Notice that this position could not be further from constitutional originalism—the view that in interpreting the Constitution, judges should be bound only by the meaning of the document when it was first drafted. Nor could Sekulow's position be described as textualism, according to which the words themselves must be the judge's only guide. It is, rather, a certain sort of legal realism, an account of law that sees judicial decision-making as a product of social, economic, and intellectual forces that come from outside the four corners of legal text. Realism is sometimes summarized by the slogan that law is whatever the judge ate for breakfast; and for Sekulow, the judicial breakfast is a hot bowl of faith. Having ingested it, the judge can be expected to produce whatever legal outcome his diet mandates. Moreover, Sekulow is not merely making a descriptive claim. His analysis suggests that it is perfectly acceptable—even desirable—as a normative matter for a judge to decide cases on the basis of his religious beliefs, not the Constitution and laws of the United States.

WHY SHOULD WE CARE what Sekulow thinks about this question? He is not going to be on the bench anytime soon; and since he wants to win cases, his arguments to the Supreme Court cannot be openly based on faith. Whatever his historical claims, Sekulow the legal advocate speaks and acts as though the Supreme Court decides cases based on the Constitution. He makes legal arguments like any other lawyer. Otherwise he would stand no chance of persuading any judge of almost anything.

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What is notable about Sekulow's argument is where it stands in the present debate within the extended evangelical community about the proper relationship between faith and the constitutional order. So far, the more radical view that the United States ought to be governed by biblical law remains peripheral. But the mainstream evangelical position—that values derived from religion are crucial to making sense of the Constitution—is coming under pressure from the radical fringe. Hard-liners are clamoring that a truly consistent Christian faith must require the direct and universal applicability of God's word to public affairs. Sekulow's position, as expressed in this misguided book, tends in the direction of the view that faith does and should directly govern. Every time he proclaims that a justice of the Supreme Court rendered a decision squarely on the basis of his religious views, he implicitly suggests that the Constitution and laws of the United States themselves are secondary, or perhaps even irrelevant, in the decision of actual cases by the courts. From here it is just a very small step to the normative conclusion that judges—and perhaps others in positions of "leadership"—should not feel bound to interpret the document that they have sworn an oath to support. They should just do what God tells them to do.

As a matter of theology, there is no particular reason to argue with this or other forms of theocratic reasoning. It is perfectly plausible, from a religious standpoint, to make the argument that God's law comes first, and that the believer is obligated to apply it, whatever the secular legal order nominally requires. There is the awkward matter of the oath itself—it would seem troubling for the believer to forswear his promise to support the Constitution; but perhaps, to the true theocrat, the oath could be explained away by one or another doctrine of pious dissimulation.

From the standpoint of American constitutional theory and practice, however, the usurpation of constitutional reasoning by religious reasoning is very troubling indeed. For our constitutional system to operate successfully, we need to keep alive the Framers' heroic assumption that officers of the United States can be trusted to uphold their oath to support the Constitution, and not some alternative source of authority, sacred or profane, other-worldly or this-worldly. We need this assumption to be true not least because it is the basis for our ability to say with confidence that we do not care one whit whether the Supreme Court is staffed by five Catholics or two Jews or nine Hare Krishnas. In a world that conformed to Sekulow's vision, we could no longer say this. If judicial opinions were to be dictated by religious faith, and not by constitutional commitment, then our head-counting of liberals and conservatives—which is entirely fair game for concerned citizens who think judicial philosophies matter—would be replaced with the head-counting of Protestants and Catholics and Jews, not to mention the missing Mormons, Muslims, and (come to think of it) Methodists.

WITNESSING THEIR FAITH is not just bad history—it is dangerous history. And lest it appear that this alarm about Sekulow's book is excessive, consider the ill-fated nomination of Harriet Miers to the Supreme Court. Within hours of her nomination, according to news reports, a coordinated campaign had begun touting her qualifications on the ground that she was a born-again Christian. It would have been one thing to argue that evangelicals are an underrepresented political interest group, like Latinos, who "deserve a spot" on the Court. That would have been tokenism, but tokenism of a familiar kind—distasteful perhaps, yet not unconstitutional when it comes to political appointments. But the argument being advanced for Miers came perilously close to the suggestion that her faith would dictate her voting in cases posing the problems of the right to life and the right to death.

We should not be surprised to discover that Sekulow was at the heart of this campaign. According to *Legal Times*, he stated in a conference call with evangelical leaders that "I'm involved in three controversial cases at the court this term. And believe me, I want Harriet Miers voting on these crucial cases." This followed his participation in a series of calls with the White House to discuss judicial nominations. In the light of his book, there can be little doubt that Sekulow viewed Miers's nomination warmly because he

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considered that, as an evangelical, she would vote according to her religious faith. Her religion would not merely inform her sense of values; it would directly govern her decision-making.

We do not know what the unfortunate Miers herself thought about such questions, although she might well have been asked about her faith in the confirmation hearings that never were. It seems possible that President Bush nominated her because he liked and respected her, entirely apart from her faith, and that the spin emphasizing her evangelicalism came from political operatives eager to please an important constituency. But some of the Republican opposition that brought down her nomination was having none of it. For the members of the Federalist Society, the problem with Miers was that her judicial philosophy was unknown and her constitutional expertise open to challenge—which is to say that the Federalists, at least, believed that the Constitution, not the Bible, was the relevant writ. And so we were spared the spectacle of a justice confirmed at least in part on the nature of her religious commitments.

As a purely theoretical matter, it can be tricky to distinguish the reliance on religious beliefs to establish moral values of constitutional relevance from the direct reliance upon religious authority. Moral principles sometimes have a role to play in constitutional judgment, not least because judges have to interpret a document that itself speaks in broad phrases such as "equal protection" or "due process of law." Those principles must come from somewhere, and the Constitution neither rules out any source of moral inspiration nor directs us to one source in particular. Even Martin Luther King Jr. was equivocal in his resort to moral law, divine law, and constitutional text.

In practice, however, it is very easy to see the difference between theocratic argument and constitutional interpretation informed by religious morality. The theocrat calls faith or *sharia* or biblical law the source of law, and he applies it directly to decide cases. The constitutionalist, at least in the American system, understands that such commitments need to be mediated through the texts and traditions of the U.S. Constitution. That God has spoken is not the basis for a constitutional decision under our system of government, even if the Declaration of Independence makes the Creator the source of our self-evident natural rights.

Like their predecessors, the justices sitting on the Supreme Court today understand that an oath to the Constitution commits them to legal, not religious, interpretation. As a rule of political life, especially in this inflamed time, this bears repeating. We need to teach it to our children and to remember it when we go to bed and when we wake up. It is, after all, the credo of a living constitutional faith. ■

Peter Green
The Siegfried Line

SIEGFRIED SASSOON: A LIFE
By Max Egremont
(Farrar, Straus & Giroux, 597 pp., $27)

I.

WHAT, IF ANYTHING, do Americans know, or think they know, about Siegfried Sassoon? To judge by *Bartlett's Familiar Quotations*, not very much. There they will find four short and surprisingly limp passages from Sassoon's war poetry, which give no idea of the hysterical loathing, fear, and compassion that generated them (the only one that might have done so is carefully removed from its context). Yet as the British critic John Press rightly emphasized in *Poets of World War I*, "It is by thirty or forty poems that delineate the agony of the fighting in the trenches that [Sassoon] holds an honoured place among English poets." The numerical estimate is, I think, over-generous; but if Sassoon has any literary claim on posterity, this is it. At the same time, he always proclaimed that "my real biography is in my poetry"; and though this was a characteristically misleading assertion, it remains true—as Paul Moeyes found in *Siegfried Sassoon: Scorched Glory*, by far the best assessment of Sassoon's work—that to understand the poems we need to know the man.

Since Sassoon spent a substantial part of his long life re-inventing the past in a series of memoirs, some of them lightly fictionalized and all of them obfuscatory, this is a difficult procedure, not least since those of his much franker diaries so far published (1915–1918, 1920–1925) were silently and skillfully eviscerated of their more embarrassing material before publication. The editor, Rupert Hart-Davis, a cricket-playing ex–Guards officer turned publisher and a close personal friend of Sassoon's, also exercised considerable ingenuity in discouraging "unsuitable" biographers. Much unpublished material—the full diaries not only up to 1925, but for most of the rest of Sassoon's life, together with notes for the memoirs, correspondence, and various unfinished manuscripts—is in the keeping of Sassoon's son George, and previous investigators (including Jean Moorcroft Wilson, whose monumental two-volume study was completed in 2003) seem to have had extremely limited access to it.

Max Egremont, by his own account, is the first biographer to have enjoyed George Sassoon's full cooperation and unrestricted use of the family archive. This alone would give his new book unusual value. But he has also drawn on several other hitherto untapped sources, in particular the private journals of Lady Ottoline Morrell, the famous society hostess, and of Stephen Tennant, who played an intimate and devastating role in Sassoon's life. The result is not only the best-rounded and most plausible portrait yet of a sadly tormented character—if World War I was the making of Sassoon as a poet, it also well-nigh destroyed him as a human being—but a wonderfully perceptive survey of how what was touted as the war to end all wars (its apocalyptic and static mechanical savagery unimaginable to an Edwardian generation) relentlessly undermined the entire social structure of prewar England. Siegfried

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Sassoon's life from 1916 onward was a protest, at first furious, then increasingly melancholy-nostalgic, at the destruction of a world in which he had had a happy and socially favored position.

TO DO PROPER JUSTICE BOTH to Sassoon's courage and to his poetic achievement, it will help to begin with what he is, rightly, best known and remembered for: the active service on the western front that won him a decoration and gave rise to a group of violent, intense, occasionally bizarre poems, notable not only for their graphic portrayal of physical horrors but also for the aching compassion they reveal for the men under his command. It will also facilitate understanding if at this stage we retain the conventional view of Sassoon himself, as the typical upper-class English officer that he felt himself to be, and was taken for by others. It was no less a judge than T. E. Lawrence who remarked: "If I were trying to export the ideal Englishman to an international exhibition, I think I'd like to choose Siegfried Sassoon for chief exhibit." And no wonder: before the war he had been a fox-hunting enthusiast, a cricketer, and a keen (and successful) steeplechaser and point-to-point rider. He had also dabbled in poetry, but that was then felt to be a legitimate amusement for a young man with a private income.

Sassoon joined up on August 4, 1914 as a trooper in the Sussex Yeomanry, feeling that he lacked the qualities of leadership essential for an officer. A few weeks of boredom and the hard work previously done for him by stable boys and servants—not to mention the shock of being thrown in on equal terms with Burke's "rapacious and licentious soldiery"—saw him quickly pull strings (initial qualms about leadership presumably now overcome) to be accepted as a probationary officer with the Royal Welch Fusiliers. While training, he wrote a poem, "Absolution," an idealistic riff on Rupert Brooke's recent war sonnets, full of sentiments such as "War is our scourge; yet war has made us wise,/And, fighting for our freedom, we are free," or "We are the happy legion, for we know/ Time's but a golden wind that shakes the grass." Years afterward he correctly observed: "People used to feel like this when they 'joined up' in 1914 and 1915." The interesting thing is, why did they? And who, precisely, were "they"?

Here we come up against a whole congeries of related British phenomena: decades without involvement in a major war in Europe; imperial confidence and expansion, along with cultural and religious proselytization; and, a corollary of this, the "white man's burden" of responsibility not only to the benighted native heathen, but also to the lower orders nearer home. A hierarchical class system, latterly under pressure from the industrial revolution, still dominated English society, and was especially prominent in the armed forces and the colonies. A classical education provided both romantic precedent (officers drafted to Gallipoli invoked Homer and Troy) and also certified tags for a code of conduct in which noble and sacrificial death figured prominently. Horace's *Dulce et decorum est pro patria mori* ("Sweet and fitting it is to die for one's country") is central to this philosophy.

It also, as Egremont sees with uncommon clarity, became a prop and a moral justification for the retention of an upper-class ruling order: "Officers, according to the public-school ideal, should not only lead but show their soldiers how to die: a debt payable for inherited advantages, an absolution for privilege." When Sassoon heard of his brother Hamo's death in Gallipoli, his immediate reaction was: "Hamo went. I must follow him." Fellow officers in France suspected him of trying to get himself killed. The code also explains why men like Sassoon and Edmund Blunden, who in peacetime had little connection with the working classes except to hire them at minimal wages as servants, show such admirable and genuine care for, and empathy with, the men serving under them in France. What the code could not cope with, and what produced the shattered and shattering poetry of Sassoon, Owen, Graves, and others, was the combination of static trench warfare and the new weaponry of a machine age.

The horrors brought by the latter had been clearly hinted at during the American Civil War, but few militarists in Britain paid that grim conflict sufficient attention. In the numerous minor campaigns fought in and around the outposts of empire, British officers could comfort themselves with the knowledge that (as Hilaire Belloc put it) "Whatever happens we have got/the Maxim Gun, and they have not." Now both sides in a European conflict had arms a good deal more lethal, and with far greater capacity for rapid fire, than the Maxim, and were using them against old-style direct frontal assaults. By the end of 1915, when Sassoon arrived in France, the British had already suffered half a million casualties and the French two million. The life expectancy of a subaltern in the line was three weeks. No-man's-land was dotted with decaying corpses. The air stank of putrefaction. Rain left the trenches deep in mud. Hungry rats were everywhere.

WHEN SASSOON SHOWED Robert Graves (younger, but already a veteran) some of his earlier poetry, as Graves recalled in *Good-Bye to All That*, "Siegfried had not yet been in the trenches. I told him, in my old-soldier manner, that he would soon change his style." He did, and to a degree that at first took Graves himself aback. He also got firsthand experience. After a spell as transport officer because of his skill with horses, on the eve of the Somme offensive he became involved in raids and wire-cutting expeditions ("rather like going out to weed a neglected garden after being warned that there might be a tiger among the gooseberry bushes," he later wrote). A close friend of his became a casualty, and as a result (Graves again) "he went out on patrol looking for Germans to kill." On one of these he brought back a badly wounded NCO while under heavy enemy fire, an act for which he was awarded the Military Cross.

Sassoon's bravery tended to be impulsive. On one occasion, in defiance of orders, he went out and captured a German trench single-handed, but then had no idea what to do with it. On his return he received a blistering dressing-down from his commanding officer, but he was also recommended for a second decoration (denied because the attack in which he participated was a failure). His indifference to both danger and orders got him the nickname of "Mad Jack." His front-line service in action was comparatively short: no more than a month in all, and repeatedly interrupted by home leaves for wounds and a variety of illnesses (trench fever, German measles, dysentery, anemia, patches on the lungs). But his record as a fighting man and an officer much loved by his men stands up to all scrutiny, and well validates the poems he wrote as a

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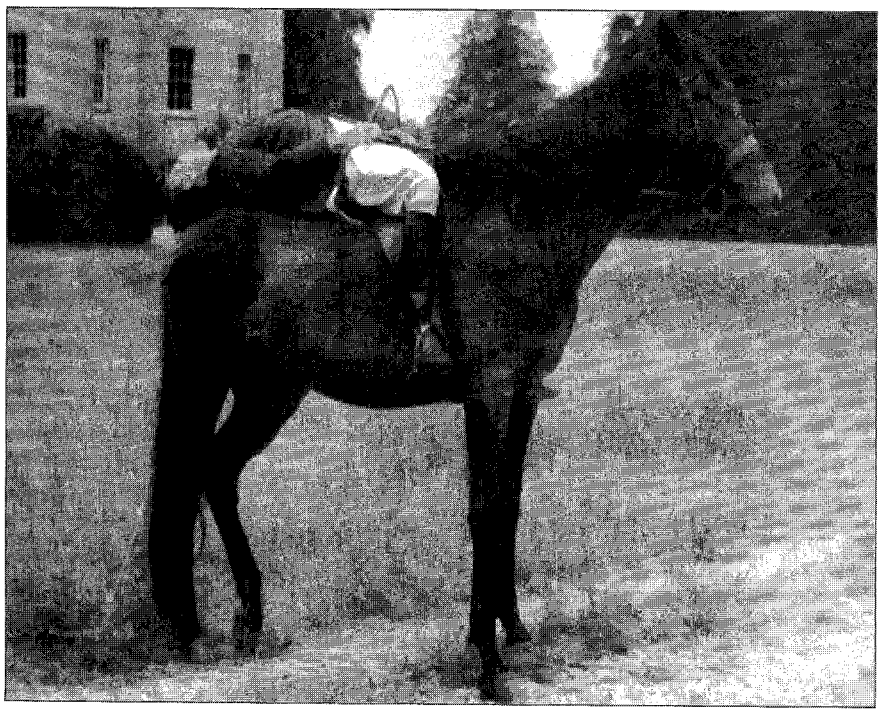
direct result of that experience. It is important to remember this, not only when examining his famous public protest against the war, but also because in several ways, overall, Sassoon emerges as a character not only pitiable but embarrassingly, and at times unattractively, self-obsessed.

II.

MOST OF THE WAR POEMS were edited, again by Rupert Hart-Davis, in 1983, and by printing them in chronological order he revealed the development of Sassoon's creative re-



COURTESY FARRAR, STRAUS & GIROUX

Siegfried Sassoon at Heytesbury, circa 1935

actions to the deadly killing ground that trench warfare had become. The language—plain and vivid and shorn of metaphor when describing front-line conditions, romanticized in Edwardian style when the poet slips into reflection or apostrophe—is disciplined into tight rhymed stanzas of varying length or, less often, blank verse. The religious element is surprisingly strong. A soldier hauling planks is a kind of Jack Christ (as Dylan Thomas later put it); Christ is the Prince of Wounds. Sassoon's attitude here is highly ambivalent: while several times yearning for divine intervention to stop the horror, he nevertheless makes it clear that on the western front Christ has failed. The soldier who interrogates Him (and has the better of the exchange) asks: "But be you for both sides? I'm paid to kill/and if I shoot a man his mother grieves./Does that come into what your teaching tells?"

It is sometimes suggested that Sassoon's wartime religious sense was only offended by the jingoistic pieties of English Anglicanism, as in "Vicarious Christ," or "They," when the Bishop's platitudes about the Antichrist and the just cause evoke a savage response listing the blind, the mutilated, the syphilitic—"And the Bishop said: 'The ways of God are strange!'" But in his diary Sassoon noted (after a comment that "the soldier is no longer a noble figure; he is merely a writhing insect among this ghastly folly of destruction") that "God is a buffoon, who skulks somewhere at Base with tipsy priests to serve him," thus neatly, if blasphemously, merging the Deity with those red-tabbed, elderly, incompetent generals who were soon to become the main targets of his attack. Curiously, this line of satire, the savage description of trench warfare, and even the introduction into poetry of the word "syphilitic" caused far greater shock among his readers than the questioning of religion and religious patriotism.

I have recently re-read all of Sassoon's war poems, and the ones that really stick in my mind are the short, violent, satirical squibs (reminiscent of Hilaire Belloc, Harry Graham, and the *Punch* epigrammatists) that tend to be anthologized. The extended descriptions of trench warfare are certainly vivid: "The place was rotten with dead; green clumsy legs/high-booted, sprawled and groveled along the saps/and trunks, face downward, in the sucking mud,/wallowed like trodden sand-bags loosely filled...." Yet as critics as diverse as H. G. Wells, Edmund Gosse, and John Middleton Murry have all pointed out, a great deal of this, like much else in Sassoon's poetic corpus, could have been equally well written as prose (and later was, in *Memoirs of an Infantry Officer*). But the epigrams, poignant or satirical, and lobbed at the reader like well-aimed hand grenades, are another matter. Cowards, hypocrites, scarlet majors, the dying and delirious, mindlessly patriotic homebodies, a desperate suicide, the awful erotic ambiguity of killing by bayonet—they are all seared unforgettably into our minds.

One example, "The General," perhaps the most famous, and typical both for its light, conversational tone and the kicker last line, must suffice to catch Sassoon's basic method:

> "Good-morning, good-morning!"
> the General said
> When we met him last week on
> our way to the line.
> Now the soldiers he smiled at are
> most of 'em dead,
> And we're cursing his staff for
> incompetent swine.
> "He's a cheery old card,"
> grunted Harry to Jack
> As they slogged up to Arras with
> rifle and pack.
>
> But he did for them both by his
> plan of attack.

At the time some argued—and not solely as disgruntled anti-Augustan Romanticists—that this was versification rather than poetry. There is in fact, as we shall see, a good deal of rather tired 1890s aestheticism about Sassoon's poetics in general, but little that pulls a reader up short. For me, the chief exception in the 1914–1918 collection is the chilling first stanza of "I Stood With the Dead":

> I stood with the Dead,
> so forsaken and still:

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When dawn was grey I stood
with the Dead.
And my slow heart said,
"You must kill, you must kill:
Soldier, soldier, morning is red."

This, ironically enough, was taken by some senior officers as proof that Sassoon was still suffering from shell shock.

SEVERAL CRUCIAL FACTS EMERGE from a comparison of the war poems with his other work (both before and after the 1914–1918 conflict), and with the views he expressed, above all in his notorious and highly confused public declaration in the summer of 1917. This "Soldier's Declaration" was heavily influenced by the pacifist propaganda instilled into Sassoon, for political purposes, by Bertrand Russell while the young officer was convalescing from a war wound at Garsington, Philip and Ottoline Morrell's manor. Besides forming the setting for Ottoline's salon for writers and artists, Garsington was also a refuge for conscientious objectors, who did farm work there as "alternative service." Russell noted Sassoon's agony on behalf of his men, his fury at the complacency and the jingoism of the older generation at home, and sold him the idea that the war was being "deliberately prolonged by those who have the power to end it." Without the pressure put on him by Russell and others, it is highly unlikely that Sassoon would ever have made his protest.

As Russell saw clearly, Sassoon was not a natural pacifist, much less a political radical, and by persuading him that he was both (a view Sassoon naïvely clung to for too long), the philosopher did untold damage to him in the years after the war. What really drove Sassoon's despair and rage (again, it seems clear that Russell knew and exploited this) was the conviction, expressed in a letter to Samuel Butler's old friend Henry Festing Jones in May 1917, that "we are losing and that all this loss of life is sheer waste." As Egremont shrewdly points out, all Sassoon's military experiences in France were associated with Allied defeats: the Somme offensive, the battle of Arras, the German drive to the Marne in early 1918. What Sassoon really believed in was not peace but victory. No accident that he retained the title of "Captain" all his life. His reaction to the physical horrors of this particular war was absolutely genuine; the way it was destroying not only the flower of youth, but the whole upper-class English way of life that he cherished, he managed to blame on the elderly incompetents who, he believed, could have avoided it, or at least could have fought it differently, more effectively, and more cleanly.

Far from being any kind of radical, Siegfried Sassoon was that highly characteristic and by no means uncommon late- or post-Victorian figure (think William Morris, or Robert Blatchford in *Merrie England*, or Kenneth Grahame and *The Wind in the Willows*): the conservative ruralist in arms against the disruptive social effects of the industrial revolution, and in love with a peaceful village world where everyone from squire to stable hand knew his proper place in life. There was always a basic unreality about this attitude, since those who held it did not, for the most part, depend on farming for their living, and thus were not bothered by the long and crippling British agricultural depression that began about 1870. But as an urban myth for the well-born and well-heeled, it had immense staying power. Even the Great War, despite undermining all the social conventions on which it rested, could not eradicate it altogether, and Sassoon was to spend a good proportion of his long life wistfully, and profitably, evoking that lost world: *Memoirs of a Fox-Hunting Man*, predictably, became a best-seller.

We are often told that Sassoon's war poems were unique, a never-to-be-repeated response to direct and unimaginably violent impressions that alone escaped the censoring filter of his gentlemanly upbringing. There is a good deal of truth in this. But they also formed part of a lifelong nostalgia for the *temps perdu*, ever more golden in retrospect, of pre-1914 rural Kent. And in this respect Sassoon was merely part of a widespread social trend.

III.

THE MORE ONE INVESTIGATES the details of Sassoon's life and background, the more tongue-in-cheek Lawrence's assessment of him as the ideal export Englishman begins to look. To start with his name: the Sassoons, far from originating in the shires, were a close-knit Sephardic Jewish clan whose very considerable fortunes had been made in Baghdad and Bombay by trading in textiles. Photographs show them as bearded patriarchs in flowing robes and turbans. Siegfried's grandfather, Sassoon David, known as "S.D.," was the first of the clan to wear western dress, and does not look comfortable in it. In 1858—the year after the Indian Mutiny—S.D. moved to England and opened up highly successful business activities there. His brother Albert, formerly Abdullah, knighted by Queen Victoria for public service in India, also moved to England.

The Sassoons, like the Rothschilds, developed a pattern of entertaining royalty, politicos, and celebrities in lavish style. Several of them became intimates of the future Edward VII, furnishing their princely guest with Bradenham hams and other forbidden delicacies while themselves observing the strict code of Orthodox Judaism. The English ruling classes trusted them, accepted their bounteous hospitality, and mocked them—sometimes viciously but for the most part in tones of amused condescension—behind their backs. The Spy cartoons of various Sassoon notables in *Vanity Fair* silently reflect this attitude.

The Sassoons' tribal closeness, reinforced by a powerful and restrictive faith, served them well in such a world. Breaking from it was unthinkable. Thus when S.D.'s favorite son, the violin-playing dilettante Alfred Ezra, married a gentile, Theresa Thorneycroft, his widowed mother Farha (anglicized as Flora) called down a curse on the union and all children born of it. She could not touch his basic inheritance, but she could and did effectively sever him from what might be termed all other tribal benefits. This was the family into which, in 1886, Siegfried was born, the second of three sons. His mother, arguably the strongest influence in his entire life, came from farming stock, but had trained as an artist under Ford Madox Brown: both her parents and her brother Hamo were successful sculptors and painters, executing numerous commissions for the royal family. The Thorneycrofts managed to combine strong Christian principles with Pre-Raphaelite aesthetics. Sassoon much preferred this side of his family—feeling, in Egremont's words, "that he had inherited their respect for hard work, craftsmanship, dislike of flamboyance and sense that the ideal life was one lived simply in the landscape of rural England."

When Alfred Ezra married, in 1884, he left his religion behind. Whether he

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wanted to or not, this was almost certainly a condition that Theresa laid down for accepting him. The boys knew nothing of their Jewish heritage and were brought up in the Church of England by their High Anglican mother, even manifesting, as adults, the kind of mild knee-jerk anti-Semitism that was characteristic of their age and class. Siegfried got a good deal more from Theresa (who named him thus because she adored Wagner) than her reddish hair and large ears. The relationship intensified when, after no more than half a dozen years of marriage, Alfred Ezra abandoned his family, ostensibly in pursuit of an American lady novelist. When that affair fizzled, he showed no signs of returning except to visit his sons, so his prime motive may well have been to get away from Theresa's dominant and over-principled personality after the first fine rapture had dissipated. At all events, from the age of four Siegfried had no father in residence, and throughout his life was clearly, among other things, searching for a substitute. That he wound up as a Catholic convert is, if not predictable, at least no cause for surprise.

THERESA, AS SIEGFRIED LATER put it, "maintained that as we were all of us delicate it would be a mistake for our brains to be overtaxed with conventional education." This was a transparent excuse for putting her own idiosyncratic stamp on her children at an impressionable age: her present to Siegfried on his third (!) birthday was a copy of Coleridge's *Lectures on Shakespeare*. Since he was by far the most delicate of the three brothers, he stayed at home longer, taught by a succession of vague tutors and governesses. When he finally was sent to boarding school he lost literally 50 percent of his time through real or imagined illnesses, for which Theresa insisted on keeping him at home. Though he showed a certain aptitude for cricket and was a fair amateur pianist, his final report summed him up thus: "lacks power of concentration; shows no particular intelligence or aptitude for any branch of his work; seems unlikely to adopt any special career."

As the schoolmaster who penned that report well knew, he did not need to. Here we come up against one of the most crucial facts shaping Sassoon's curious career. Though cut off from the immense wealth available to other members of the Sassoon clan, he was always financially independent: the need for a job never dictated any of his decisions. As the narrator of Edmund Wilson's "The Princess with the Golden Hair" remarks, there may be "nothing more demoralizing than a small but adequate income." Thus Sassoon was peculiarly vulnerable to his mother's determination that his destiny was to be a great poet, and one, moreover, in the Pre-Raphaelite tradition of the 1890s that had formed her, freely admitting in later life that his overriding desire was always to be what she wanted. He never challenged either her prediction or the oddly limiting form it took. That he could nevertheless appreciate Debussy, Stravinsky, even Schönberg, is no anomaly: Theresa wasn't interested in music.

The trouble was, his sketchy education (in two years at Cambridge he did little but play golf and buy first editions) left him a virtual autodidact, incapable of serious sustained thought. Voracious reading never filled this gap, and he remained acutely conscious of his intellectual deficiencies all his life. (As did others. "More brain, O God, more brain!" was Virginia Woolf's wish for him.) At the same time he used Theresa's Pre-Raphaelitism, and in particular Pater's notion of poetry aspiring to the condition of music, to justify a poetic creed dependent on inspirational afflatus alone, its ideal a kind of warm and non-confrontational rural simplicity. The result, in his pre-1914 poetry above all, is a sententious and derivative pastoralism, full of peeping dryads and thumping platitudes. As Sanford Sternlicht tartly remarks, "he did not know the meaning of the word *cliché*, but he knew how to write one." Indeed, what his early work reminds me of most is that famous *Punch* cartoon of the period in which a young aesthete replies, crushingly, to an inquiry as to the subject of his writing: "But my dear Auntie, one doesn't write *about* anything, one just *writes*."

Theresa's ideals had their built-in contradictions (she thought Swinburne the greatest living poet because of his word music, but she discouraged Siegfried from reading him because of his immorality), and these contradictions were inherited by her son. To counter the image of delicate—and perhaps less than wholly masculine—aestheticism, Sassoon plunged into the world of hunting, steeplechasing, and point-to-point races. Horses, and the fox-hunting equestrian's world of physical challenge and achievement, became a genuine passion with him. But there was an additional motive at work here. In 1895, Oscar Wilde had been tried and imprisoned; and one fact that Sassoon had faced very early about himself was his homosexuality. He sometimes claimed (as did other members of the Sassoon clan) to be a Parsee rather than a Jew, but about his sexual orientation, though he was necessarily circumspect, he had no doubts. Puritanism held him back from physical consummation till after the war (he was never entirely comfortable with what he called the "gross elements"), but his erotic drive, as he himself admitted, was intense. So to his other personal problems in youth must be added a powerful infusion of frustration and guilt.

THIS WAS THE MAN—OLD-fashioned aesthete, equally old-fashioned sporting gentleman, politically naïve, egotistical, his future already committed to the past—who, after a brief and unsuccessful stint in literary London from 1913, with nothing substantial to say and no acceptable way of saying it, joined the army and found, at last, both a theme and a true voice on the western front. But, as should now be all too clear, the war poems, from his point of view, simply added to his troubles. Sassoon was no radical and no real pacifist. The murderous horrors of the trenches simply shocked him into protest: what lay beyond the cry of outraged common humanity was nostalgia for a vanishing past. The realism forced on him ran flat counter to the patriotic myth propagated not only by the old men, but also by his idealized mother. His attacks on God and the Anglican clergy could not but hurt Theresa deeply. By the end of the war there were whole areas of life that it was impossible for mother and son to discuss.

In later years Sassoon distanced himself from his war poems, preferring the idyllic and carefully sanitized semi-fiction provided by works such as *Memoirs of a Fox-Hunting Man*. Perverse and wrongheaded to many critics, who have seen, rightly, that the war poems are Sassoon's chief claim to fame, this decision is, in context, both logical and understandable.

The claim is often made that, however much he may have deplored the results, in the poems he wrote about the

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bogged-down and mishandled conflict in Flanders, Sassoon shifted modernism fundamentally into a new track. This is only partially true. As far as literary form goes, the poems remained resolutely conservative. What he actually did was to break a number of social taboos as to what could decently be expressed in public, on which score literary innovation was no more in question than in that other social milestone (and, obscenity apart, equally old-fashioned work) *Lady Chatterley's Lover*. And with the return of peace, as quite a few people saw at the time, Sassoon lost both his adventitious subject and the need for gritty realism in the expression of what he wrote. Apart from a year or two immediately after the Armistice of 1918, when he tried—uncomfortably, and very much against the grain—to set himself up as a left-wing radical, he simply reverted, ever more obstinately as time went on, to the role that Theresa had laid out for him: that of the Great Poet in a style of inspirational and timeless simplicity.

Now, contrary to general opinion, this ideal was not quite as crazy as has too often been claimed. Sassoon looked for models to poets such as Hardy or the early Metaphysicals—Vaughan, Traherne, Crashaw. His stress on disciplined conventional form found support in poets from Auden through the post-1945 Movement group to Larkin. The real trouble was that, except for his one brief wartime flare-up, Sassoon was an earnest, unimaginative, platitudinous versifier, cranking out clichés about the countryside and self-absorbed reflections on his own life, the kind of thing that Stella Gibbons pilloried in *Cold Comfort Farm* as Asterisked Great Thoughts. The critic Bernard Bergonzi summed it up, unkindly but accurately: "The bulk of his later poetry, sententious or laxly pastoral, is carefully written and overpoweringly dull." To be a Great Poet you need the ability to write great poems, something Theresa had left out of her calculations.

Instead, Sassoon surrounded himself with congenial minor poets such as Blunden or de la Mare, who shared his nostalgic ruralist vision and could be relied on to praise his work; and inveighed against Eliot (whom he referred to as "Towering Tom") and the Modernists generally; and buried himself deeper and deeper in the past; and went to his grave convinced that he, not Eliot, should have been awarded the Order of Merit. With Eliot, Sassoon never seems to have got beyond *The Waste Land*; there is no evidence of his having read *Four Quartets*, though much of the religious thinking there, especially in "East Coker," runs along strikingly similar lines (minus the self-preoccupation and the platitudes) to his own.

By the time of World War II, Sassoon was attacked by Herbert Read, with justice, for writing "exactly like the people he satirized in the First World War." His response was to threaten legal action. In fact, his entire life from 1920 until his death more than forty years later, though fascinating both anecdotally and for the sometimes grisly light it sheds on English social history (Sassoon knew just about everyone worth knowing), has very little to do with literature.

IV.

IT WAS ALSO A CURIOUS MIXTURE OF tragedy and farce. Just as Sassoon's misguided public stance against the war in 1917 ended not (as he had hoped) with a court-martial and martyrdom, but with a spell in the shell-shock hospital Craiglockhart (which he irritably nicknamed "Dottyville"), so his adherence in the 1930s to the Peace Pledge Union was nullified by the truth about the Nazis, and left him, as he himself admitted, "reduced to an impotent absurdity" by World War II, in which he played no part, regarding such mundane activities as the Home Guard or fire-watching as beneath him. His discovery and promotion of Wilfred Owen was soured by the critics' justified determination that Owen was a better poet than he was. His efforts to identify with the industrial working classes foundered on a stunning ignorance of social history, and a crash course at Oxford designed to remedy this deficiency proved beyond his mental resources after a couple of weeks. His cherished mishmash of word music and inspirationism undid him in more ways than one.

At the same time it is important to bear in mind that large numbers of conservative sympathizers, and not only those in high places, took him very seriously indeed as a writer. It was precisely his retreat into the pre-industrial past, his mannered simplicity, his platitudinous self-preoccupation, which (though anathema to the intelligentsia) so well mirrored their own concerns, and thus turned his six autobiographical volumes

The Names

"It satisfied desire and created desire."—DeVoto

For my sister

All night it kept up its music, the Boulder River,
skirmishing across a shallow bed of stones
beyond the cottonwood, Russian olive and poplar,
the tangled mosquitoey woods where cattle browse.

Cabled in its quick places, glassy in its deep,
the river had no particular claim on me
(though I have known other rivers that did),
except that it inhabited my sleep,

not with *Multnomah*, *Rejone* or *Mississury*,
the steady incantation of lost names,
not even with the pounding of the Burlington Northern & Santa Fe
eastward with its load of chemicals and coal,

but with something more fugitive and unpronounceable,
something I glimpsed in the vestments of the Audubon's warbler,
black and yellow and white and once again black,
then lost through the dry grass and rubbed sage of midsummer.

KARL KIRCHWEY

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into best-sellers. His charming style, his resolute meliorism, his careful excision of anything remotely unpleasant or (for good reasons) to do with sex: these all improved his popularity. His *bien-pensant* readers were blissfully unaware that while composing his memoirs he was engaged in an agonizing and obsessional relationship with a willowy, petulant, beautiful young sprig of the *jeunesse dorée* named Stephen Tennant, whose hypochondria and narcissism were matched only by his talent for fancy dress, elaborate makeup, and screaming rows. Had they known, their reaction might well have been that of the woman who, obviously struck by Tennant's ultra-camp manner, shouted at them from her car window: "You two revolting bits of filth!"

THIS WAS BY NO MEANS SASSOON'S first affair, though for him sex began late, in 1920, when he was already over thirty. Unlike the Homintern of the next generation, he found no attraction in proletarian lovers (he was snobbishly sensitive to lower-class accents, Owen's included). Beginning with an alcoholic artist and ex-officer named Gabriel Atkin (afterward taken over in turn by J.M. Keynes and the novelist Mary Butts), he moved on to, among others, Prince Philipp of Hesse (a subsequent confidant of the Nazis and the duke of Windsor), an American actor named Glenn Hunter, Ivor Novello, and the theatrical director Glen Byam Shaw, the only one of his lovers with whom he developed a lasting non-sexual friendship. Otherwise in these relationships he emerges as a would-be savior and actual control freak, using his money to maintain a dominant position. When the object of his affections had more money than he did (as was the case with Novello and Tennant), trouble ensued. The slow breakup with Tennant—about which Egremont has unearthed more evidence than some may wish to face, including Sassoon's unavailing attempts to enable young Narcissus to ejaculate—makes for painful, if at times farcical, reading.

There is little that could be called farcical about Sassoon's late marriage, in 1933, to Hester Gatty, the daughter of a wealthy colonial judge with large estates (including William Beckford's Fonthill), except perhaps the idea that it was a remotely feasible proposition in the first place. It certainly brought out the worst in Sassoon: his not-so-latent anti-feminism, his humorless and truly monumental self-absorption, his urge to dominate and control. He married Hester on the rebound from Stephen: friends cattily noted a striking physical resemblance between new wife and old lover. Siegfried, always jealous of his cousin Philip's great country houses (the fact that Philip had also been Haig's military secretary during the war had not exactly helped the relationship), now, with Hester's money on top of his own, bought Heytesbury House, on the edge of Salisbury Plain. This vast, ugly, gray stone Georgian mansion, set in ninety acres of parkland, gave Siegfried the isolated rural kingdom he had always wanted, the perfect setting for his own growing solipsism. He was to live there, more and more cut off, as time went on, from the outside world, for the rest of his life (he died in 1967).

"O Hester," Siegfried noted in his diary, "you must redeem my life for me." Perhaps with this end in view, he took his bride on a honeymoon trip throughout Europe that exactly duplicated an earlier love trip with Stephen, even down to the same hotels. The puritan in him sought an escape from homosexuality; the country squire longed for children. W. Somerset Maugham, when similarly seeking social respectability and a family, saw his sexual nature as split 80 to 20 percent between straight and gay: unfortunately, as he later admitted, he got it the wrong way around. Sassoon, too, was carried through the early successful years of his marriage by initial passion and the need for an heir. In 1936, when Hester, after at least one miscarriage, gave him the son he wanted, their relationship at once began to unravel. Siegfried's obsession with the child was all-embracing and, worse, exclusive: he at once saw young George as "my self reborn," an extension or replication of the ego that he nursed and fictionalized through volume after volume of autobiographical reminiscence.

IT IS A SAD STORY, AND MAX EGREMONT tells it more perceptively than earlier biographers have done. Hester was, it is clear, deeply in love with Siegfried, even after their separation. Worse, he had aroused and encouraged a strong sexual urge in her, only then to retreat into irritated isolation, working at his books into the small hours and complaining that the sole cure for Hester's troubles seemed to be endless copulation. In the last resort he was only truly happy with his wife when she was waiting on him hand and foot, which he regarded as a woman's proper lot in life, and agreeing with all his eccentric opinions. Hester, who had a mind of her own, saw no reason not to express it. Shouting matches and tearful hysterics occurred with increasing frequency. He drank whiskey. She chain-smoked. George, not surprisingly, became a somewhat troubled adolescent.

As Siegfried's sexual drive diminished (though never to a point where he did not relish the company of personable young men such as Dennis Silk or the cartoonist Haro Hodson), his self-absorption shifted from the erotic to the religious. His autodidactic mind nagged away in poems at the idea of a spiritual quest. These poems caught the attention of a Catholic nun: they corresponded, and the road to conversion was rapid. Sassoon's Catholicism was absolutely sincere, and brought him peace in his final years. It also, of course, gave him the chance to pursue his own development yet again, this time in spiritual terms, with an adoring audience that made no emotional demands on him. Like Evelyn Waugh after him, he relished the glamour of aristocratic recusancy, the magic of a great Catholic country house such as Mells, home of Katharine Asquith. Perhaps most important, confession and absolution at long last freed him from residual guilt over his homosexual past.

Had it not been for the accident of Sassoon's baptism by fire in the trenches, and the way this encounter tore him free, if only for a short while, from the restraining shibboleths of his class and his era, the odds are that his—or his alter ego George Sherston's—journey would long ago have been forgotten. But the poems obstinately survived, and a new generation has shown an increasingly absorbed and creative interest in the literature and the social breakup with which World War I has come to be identified. For good or ill, Siegfried Sassoon, all unwittingly and to his later great embarrassment, became a key figure in the radical metamorphosis through war of British art, culture, and class-consciousness. All he wanted was the past, and yet in mourning its loss as a poet he shared in its destruction. The price of creative achievement can sometimes be almost too costly to bear. ■

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BEIRUT DIARIST

Danegerous Liaison

I'VE HAD CLOSE CALLS WORKING in the Middle East (rocket attacks, roadside bombs, food poisoning), but nothing beyond the usual occupational hazards of an American journalist—until Sunday, when I was mistaken for a Dane.

I HAD RECENTLY RETURNED TO BEIRUT from an assignment in northern Iraq and was thinking of spending the morning in my pajamas, when my friend Katherine, a reporter for a U.S. newspaper, calls. There's an angry demonstration forming a few blocks from your apartment, she says. They're heading for the Danish Embassy to protest the cartoon defamation of the Prophet. By now, everyone knows the story of how a Danish newspaper decided to make a point about free speech by running cartoon depictions of Mohammed. Muslims consider any depiction of the Prophet blasphemous, and, true to form, reactionary elements in the Muslim world have responded in total caricature of themselves.

KATHERINE PICKS ME UP, AND WE HEAD down to the demonstration. By now, this should be a Beirut routine—get a few quotes from sexy girls waving Lebanese flags and be done in time for brunch at Patisserie Paul. But it soon becomes clear that much has changed in Lebanon since the so-called Cedar Revolution last spring, when the whole country seemed united in wanting peace and independence. "That sounds like shooting," says Katherine as we pass through a line of soldiers who tell us to go back, and, suddenly, there are burning cars, young men with beards and green bandannas throwing rocks and Molotov cocktails, and riot police firing tear-gas grenades. I see a mullah in a turban and flapping gown waving his hands at the stone-throwing *shebab,* and I am reminded of Mickey Mouse as the sorcerer's apprentice, helpless to stop the broomstick army that he has created.

NEITHER OF US KNOWS WHERE THE Danish Embassy is actually located. But the rioters are just as clueless. Several thousands of them are moving up a tree-lined avenue into the heart of Achrafiyeh, a ritzy Christian neighborhood in East Beirut that is home to the offices of a few European countries too small to merit their own embassy compounds. The mob attacks anything that is vaguely Danish, which, since no one really knows much about Denmark, amounts to open season on luxury consumer-goods shops and the occasional church.

IN SYRIA, RELIGIOUS RABBLE-ROUSERS have also attacked Danish symbols—but with no real political or economic consequences. (Danish imports to the region seem to consist mainly of shortbread cookies and butter.) Lebanon, however, is a country that, not long ago, fought a 15-year civil war, and such events are refracted darkly through a sectarian lens. So, when the television shows a mob burning the Swiss flag, Lebanese Christians don't think, "Look, those idiots don't know the difference between Switzerland and Denmark!" Instead, they see a Muslim mob burning the cross.

THE POLICE DO LITTLE TO STOP THE rampage, and, as the government dithers, we wonder how long it will be before Christian militias take up arms and patrol their neighborhoods. In the meantime, Katherine and I wade into the stream of angry young men. This is not as insane as it sounds. Even in a mob, there is often room to work, especially along the fringes occupied by the more civilized sort of rioter. Still, I'm nervous enough that I don't even bother taking out my notebook. Katherine does the interviewing, and I keep watch. Suddenly, the crowd panics and there's a stampede. We climb the stairs of the nearest building, a brown stone office tower, but, in the process of getting out of the way, we've exposed ourselves—two blue-eyed Westerners of visibly northern European descent (I'm even a goddamn summer blond)—to full view of the mob, which begins pelting us with stones from across the traffic divider. A group of good Samaritans hustles us inside the building and out of harm's way. We take cover behind a bank of elevators in the empty, mildly ransacked lobby. Katherine points to the battered signs that list the building's tenants, and one is clearly visible: Royal Danish Embassy Office. "Butters, we're in the Danish Embassy," she says. I reply, in effect, "Dude, we need to get out of here."

BACK OUTSIDE, WE HEAD STRAIGHT FOR the nearest mullah to ask for protection and an escort out of the demonstration. But, by this time, Katherine and I have become such a spectacle that a knot forms around us, and not everyone has gotten the memo about Islam being a religion of peace. We can't move. One of the middle-aged Samaritans who had taken us inside the building returns. "Why didn't you stay inside?" he asks. "Because that's the Danish Embassy!" I reply. At that moment, our friend Ghaith appears out of nowhere. "I'm an Iraqi journalist," he shouts in Arabic as he pushes his way toward us. "Iraqi" is the magic word, and the crowd backs off as if in the presence of Zarqawi himself.

KATHERINE AND I SQUEEZE FREE AND flee back down the avenue, turning away from the riot at the nearest cross street, which happens to lead in the direction of Ghaith's home. His British fiancée, Wendy, has been holding down the fort. "Not a good day to be blonde in Beirut," she says, and she makes us spaghetti carbonara with pork bacon and Danish butter. We turn on the television, and there's the office building in which we had hidden, only now it's no longer abandoned; it's getting the full fatwa treatment. The mob is throwing files out of broken windows, prying stones from the façade with crowbars, and setting the offices on fire. I can't help but think: Whoops! Did we tip off the mob? Is that our fault? Would they have ignored the building but for us?

KATHERINE BEGINS FILING HER STORY, but, since I don't have anything to show for the day, I return home to work on an assignment I owe *Men's Journal*, a one-page guide to Lebanon for adventure travelers. What the hell am I going to write? Great food, stylish women, and rampaging mobs of young Muslim men burning cars: Yes, Beirut is once again the Paris of the Middle East!

ANDREW LEE BUTTERS

Andrew Lee Butters is a Beirut-based writer.

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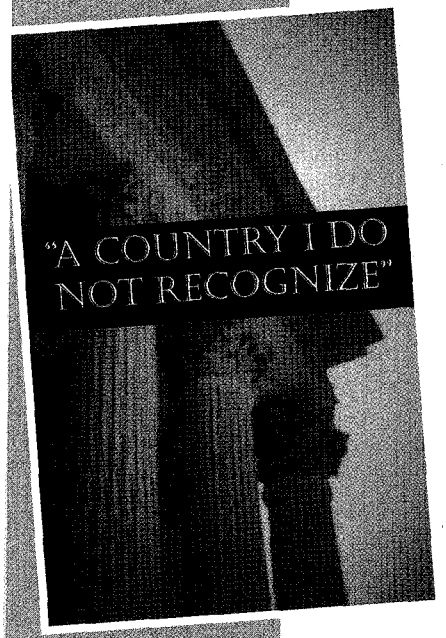
Critical Reading from Hoover

The Supreme Court's Remaking of America



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Robert H. Bork has served as solicitor general, acting attorney general of the United States, and a United States Court of Appeals judge. He is also the Tad and Dianne Taube Distinguished Visiting Fellow at the Hoover Institution.

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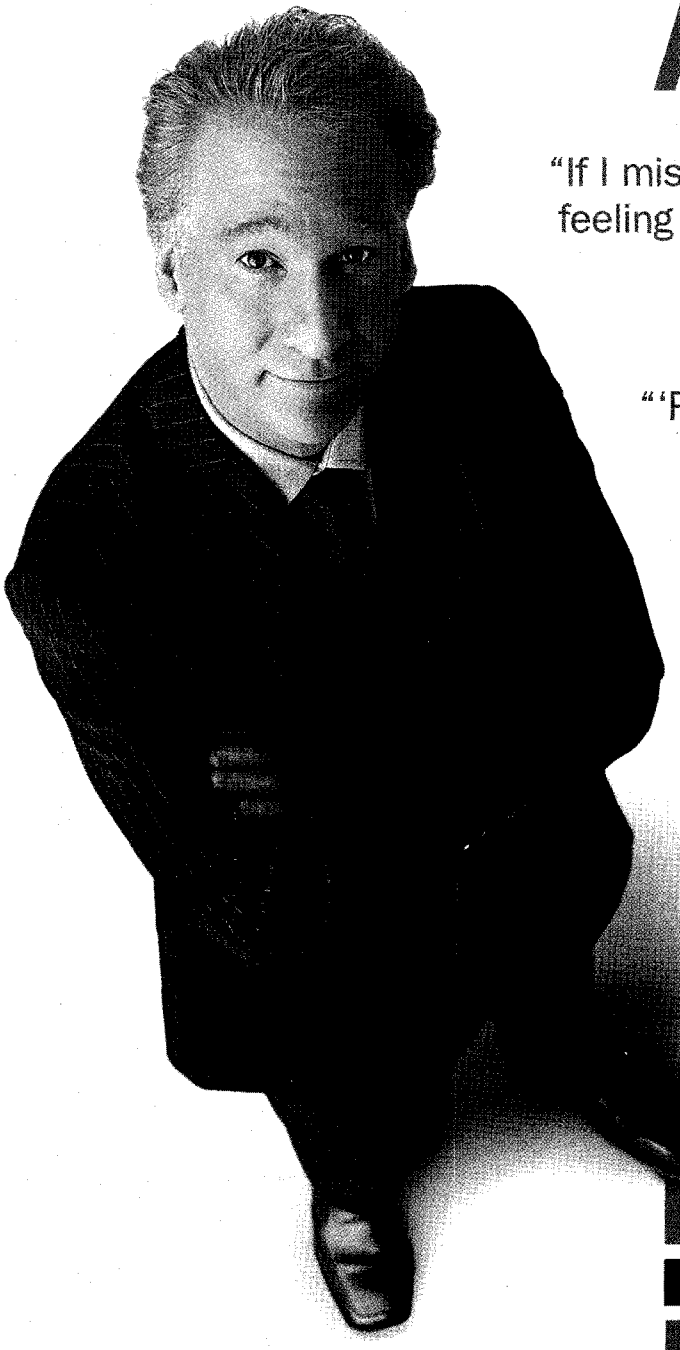

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